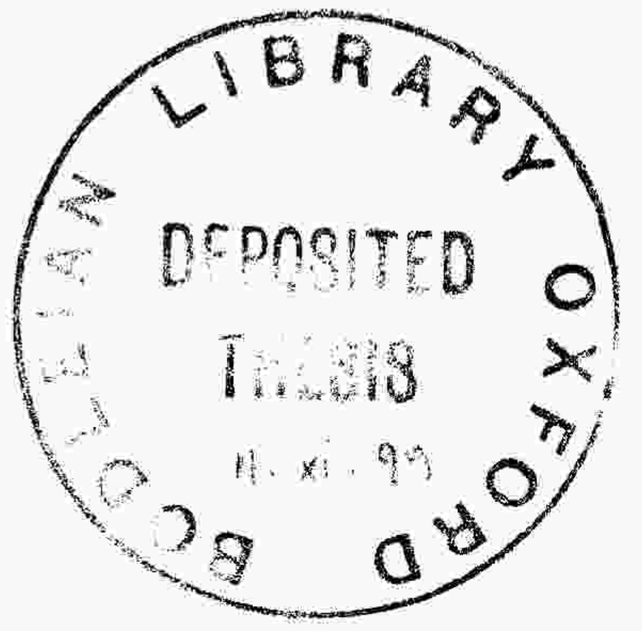
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An Edition with Introduction and Commentary of John Blount's English translation of Nicholas Upton's *De Studio Militari*

volume 2

Text

Craig G. Walker



Volume 2

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I

The families of *De Studio Militari* manuscripts and Blount's translation

There are two families of *De Studio Militari* manuscripts, that is to say the *De Studio Militari* version and the *Baddesworth* version. This brief chapter will examine these and show how John Blount's English translation fits into the former branch. To begin with I will outline the differences in the two families. I will then discuss which of the two versions should be regarded as the original. I end with an examination of the idiosyncrasies of the Blount translation which set it apart from other surviving manuscripts in the *De Studio Militari* family.

The two families of *De Studio Militari* manuscripts are conventionally termed as *De Studio Militari* and *Baddesworth*. The former includes the edition published by Edward Bysshe, the English translation by John Blount, and the most famous extant manuscript of *De Studio Militari*, commissioned by Sir Edmund Rede (died 1487), which is on permanent public display in the British Library [Cotton Nero][1]. This version of the text is made up of four books, as I have discussed in previous chapters, the first two concerned with knights and warfare, and the last two concerned with the colours and charges of heraldry.

The *Baddesworth* version owes its name to a manuscript version of *De Studio Militari* in the British Library which ends, "*explicit libellus vocatus libellus de officio militari script per Baddesworth ao. dom. m.iiij.lviij*"[2]. There are several extant manuscripts which are in this family[3]. The *Baddesworth* version has the same information as the *De Studio Militari* version, but it is re-ordered. *Baddesworth* also has four books, the first book, *De Coloribus*, is the discussion of colours used in heraldry which the *De Studio Militari* version put in Book Three. The second book in *Baddesworth* is *De regulis et signis in armis portatis* which is a discussion of inanimate charges borne in arms, which the *De Studio Militari* version puts in Book Four, after the description of beasts, birds and fishes. The third book in *Baddesworth* is *De animalibus et avibus. . . et eorum proprietatibus* which is a discussion of living charges borne in arms. However *Baddesworth* presented them in a different way to the *De Studio*

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[1] Brit. Mus. Cotton MS Nero C iii

[2] Dennys, Rodney, The Heraldic Imagination, London, 1975, p. 82. The *Baddesworth* manuscript is Brit. Mus. Add. 30946

[3] Examples of these manuscripts are Brit. Mus. Harl. MS 3504 and Arundel Castle MS 'Heraldry'

Militari version, that is *Baddesworth* grouped together all of the charges which had an identifiable holder, that is to say the lion, leopard, eagle, weasel, partridge, and dolphin, with additional chapters following the descriptions of each of the animals, highlighting the owner of the shield charged with them[4]. *Baddesworth* then discussed the remainder alphabetically in the form beasts, birds and fishes. The fourth book discussed knights and warfare, which in the *De Studio Militari* branch were placed in Books One and Two.

There has been some discussion over which of these branches represents the original version of *De Studio Militari*, with Evan J. Jones arguing for *Baddesworth* and Rodney Dennys responding to this by arguing for the *De Studio Militari* branch. The argument made by Jones was that Bysshe had made a mistake in placing such reliance on the Cotton Nero manuscript as the exemplar for his edition, because all of the other manuscripts which Jones had examined were set out in the *Baddesworth* style. He cited four manuscripts in support of his theory, Brit. Mus. Add. MS 30946, Brit. Mus. MS Harl. 6106, Brit. Mus. MS Harl. 3504, and Brit. Mus. Harl. 6149[5]. Jones believed that the Cotton Nero manuscript had been miscopied and that explained the alteration in the order of the information in the text and he believed that this was supported by the apparently more logical layout of the *Baddesworth* version. He cited several examples to show how the *Baddesworth* version was more sensible, including the re-ordering of the 'living' charges, and also the position of the discussion of diseases of the falcon as an appendix in the *Baddesworth* version which to him seemed more sensible than its position in the *De Studio Militari* branch, that is to say as a lengthy digression in the chapter on the falcon[6].

Dennys countered these arguments by arguing that digressions, such as that in the chapter on the falcon, were typical of medieval writing[7]. Still more importantly he drew attention to three other manuscripts besides Cotton Nero which had the same format, none of which had been examined by Jones, namely the Hals, Morton and Holkham manuscripts[8]. Dennys identified who had commissioned all of the manuscripts except for Holkham (which

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[4] In consequence the opening chapters of the *Baddesworth* version in Brit. Mus. Addit. MS 30946, as cited by Jones, Evan J., in 'Medieval Heraldry' 1932, Cardiff, p. 8, are given fuller titles than in the *De Studio Militari* version: 'De leone; De regibus Britanniae; Quod Ricardus leones non portavit; De leopardo; De aquila (ut leo velut rex, ita aquila velut regina); Imperatores Romani aquilam portaverunt; De mustela; Dux Britanniae Minoris ortat mustelas; De perdice; Scutifer (non specificatus) mustelas portat; De delphino; Dolphinus delphinum portat'

[5] Jones, Evan J., Medieval Heraldry, 1932, Cardiff, p. 6

[6] Jones, 1932, p. 8

[7] Dennys, The Heraldic Imagination, 1975, p. 82

[8] Hals is Fitzwilliam Mus. MS 324; Morton is College of Arms MS Arundel 64, Holkham is Bodl. MS Holkham misc. 31

has been regarded as the presentation copy given to Duke Humphrey, though this seems unlikely as there is no evidence to support it), and they were all prominent men: the Cotton Nero manuscript was commissioned by Sir Edmund Rede of Boarstall, Buckinghamshire, hereditary Forester of Bernwood, the Hals copy was commissioned by Dr John Hals who was provost of Oriel College, Oxford, Bishop of Lichfield and keeper of the Privy Seal for Henry VI in 1470, the Morton manuscript was commissioned by Bishop John Morton of Ely and future Lord Chancellor under Henry VII. Dennys argued that all three men could reasonably be argued to have known Upton personally as they were all politically active in the same circles as Upton. All of the manuscripts, Holkham included, were lavishly illustrated, and were clearly very valuable objects. Dennys argued that all of this made it unlikely that any of these men would be satisfied with an adulterated version of *De Studio Militari*, and this led him to the conclusion that the versions contained in those four manuscripts, which to all intents were the same, represented the version Upton had written. Dennys also drew attention to the fact that the Blount translation had the same layout as these three manuscripts. Another *De Studio Militari* manuscript has since been identified in the Vatican library which fits in with the four manuscripts which Dennys discussed. It is also lavishly illustrated and is laid out after the fashion of the *De Studio Militari* branch[9].

The fact that Jones did not examine the manuscripts which Dennys used, except for Cotton Nero, casts doubts on the reliability of his theory. What is more Dennys's argument that important men of the fifteenth century such as Hals and Morton would not be satisfied with a bastardised version of *De Studio Militari* is a convincing one, and this becomes more so when one bears in mind that Blount's translation was begun at the behest of another prominent patron, William lord Mountjoy[10]. Furthermore a comparison of the use of his sources in the composition of Book Four with his use of the same sources for previous books, indicates that what seem to be illogical digressions, such as the examination of the diseases of falcons, can be ascribed to Upton slavishly following the texts he had before him, which it is clear was his usual habit throughout his work. In addition Dennys pointed out that three of the extant *Baddesworth* manuscripts belonged to heralds: College of Arms MS Vincent 444 belonged to Robert Glover, Somerset Herald in 1572; Brit. Mus. Harl. MS 3504 and Brit. Mus. Arundel Castle MS 'Heraldry' belonged to William Tyndale, Lancaster Herald in the 1450s[11]. This may suggest an explanation as to why the information present in say the Cotton Nero manuscript was re-arranged in the *Baddesworth* version. That is the re-ordering made

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[9] Bibliotheca Apostolica Vatican MS Regius Lat 1528 (found by Ms Susanne Saygin, Balliol College)
[10] Look 'Nicholas Upton and his translator'
[11] Dennys, The Heraldic Imagination, 1975, p. 82

the discussion of heraldic colour, and the information on blazoning which Upton gave in his discussion of inanimate charges and famous charges, more prominent. It is reasonable to suppose these were the sections of greatest interest to late medieval heralds. Therefore the conclusion to be drawn from an examination of the two families of *De Studio Militari* manuscripts seems to be that the *De Studio Militari* branch, to which Blount's translation belongs to, is the most likely to be Upton's original and the *Baddesworth* family was re-ordered probably by a herald.

The English translation of *De Studio Militari* survives in only one copy, namely Bodl. MS Eng.misc.d.227. It is a rough copy, written by at least four scribes, and it is not complete in text or illustrations. Therefore it is likely that this was not the author's manuscript nor the presentation copy. The exemplar of the original Latin text that was used for the translation is unidentified; and a comparison of the translation with extant Latin manuscripts shows minor variations between them which indicates that Blount did not use any of them for his exemplar. Nonetheless this same comparison shows that Blount's version was essentially a word for word translation. The differences between Blount's translation and Bysshe's printed Latin edition and the surviving Latin manuscripts are all small and mainly involve differences in references and citations, layout, omissions in the translation, minimal differences in content, and editorialising. I will examine each in turn.

The English translation of *De Studio Militari* omitted precise details of the citations which Upton gave. An example of this can be taken from the very start of the book where Upton referred to Bartolus. In the Blount edition this was presented thus: "The most famowsse And excellent father and doctor of law master bartholl diffinythe noblenes After this maner"[12]. The same reference in the Latin text gave a fuller reference to Bartolus: "*Bartholus de Saxo Ferrato in lege prima C. de dignitatibus li. xii*"[13]. The translation abbreviated references in this way throughout all four books of the text.

The layout of the English translation is for the most part the same as that given in Bysshe's edition, but there are a few differences. Most of these take the form of Blount's translation grouping information into one chapter that Bysshe and the manuscripts he worked from presented in more than one chapter, but without losing any of the content. The first example of this is in Book Two where Blount had only thirteen chapters to Bysshe's fourteen because he grouped the content of chapters thirteen and fourteen into his chapter thirteen. In Book Three Blount did not give the colour white its own chapter, which Bysshe did, but

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[12] Bodl. MS Eng.misc.d.227, fo 1v
[13] Upton, De Studio Militari, 1654, p. 3

instead he merged the description of the colour into the chapter which preceded it. The argument in the Blount version flows neatly and logically, and this seems to imply that the difference from Bysshe can be ascribed to Blount's exemplar rather than any mistake on the part of the translator or the scribes. In Book Four, in the description of inanimate charges, Blount again has fewer chapters, but essentially the same number of charges are discussed[14]. An example of this is Blount's single chapter "Off aremes barryd & tortuouse scharp" which discussed arms paly, barrulets and barry dancetty. Bysshe presented this in three chapters: "*De Armis barratis tortuosis acutis*", a section on "*De Armis bendatis barratis*" and "*De Armis florida*"[15].

In one instance the difference in layout between Blount and Bysshe was clearly down to scribal error. This was in Book Two, chapter four, folio 60 verso. After beginning a discussion of the three reasons for a lawful duel the discussion changed abruptly into a discussion of Arthur's duel with Follo. A later hand has marked this place in the margin with a '+' and the words "here ye must torne to the second leffe at these wordes In oure treatyse folowyng"[16]. The '+' re-appeared midway through folio sixty-one verso. In the margin was another symbol, a circle with a dot in its middle, and the words "so the blod" in the margin[17]. The place at which the second '+' appeared continued the passage which was interrupted by the account of Arthur's duel. The circle with the dot re-appeared at the first line of chapter five whose first words were "And so the bloode. ."[18]. The text which had split up chapter four was the beginning of chapter five, and the words "And so the bloode" picked up the narrative where it stopped to allow the discussion in chapter four to continue at the second '+'. It seems the manuscript of the translation which survives was erroneously copied at this point, and a later, unknown reader spotted the error and amended the margin.

In Book Four of the translation Blount omitted two chapters, *De Lepore*[19] and *De Fasiano*[20]. There is no mention of either animals in the translation and this suggests that the omission can be explained by the characteristics of Blount's exemplar rather than to the

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[14] The manuscript table of contents gives chapter titles to some of the 'chapters' which are grouped into one in the main body of the text of the translation. This would imply that the table of contents was written before the rest or separately from the rest, and this is supported by the fact that the table of contents often gives different titles and spellings to those found in the text itself. What is more some of the 'chapters' in the table of contents are not chapters in Bysshe or any extant manuscript either; in fact the table of contents seems to give a 'chapter' title to almost any charge which had an accompanying illustration, which may explain the inclusion of titles for these 'chapters'.

[15] Bodl. MS Eng.misc.d.227, fo 202r - 203v; Upton, De Studio Militari, 1654, p. 232 - 233

[16] Bodl. MS Eng.misc.d.227, fo 60v

[17] Bodl. MS Eng.misc.d.227, fo 61v

[18] Bodl. MS Eng.misc.d.227, fo 62v

[19] Upton, De Studio Militari, 1654, p. 164

[20] Upton, De Studio Militari, 1654, p. 195

design of the translator. At other points in the text the translator tells the reader that he has chosen to leave out information which was in his exemplar. A good example of this is in Book One, chapter eighteen where Upton gave a lengthy discussion of legal references as regards what happened to a fee if the vassal joined the church[21]. Blount gave Upton's conclusion, but excluded the discussion with the words: "moche more processe ys made of thys but here I haue towchyd the principall effect & conclusyon & therfore I let the other passe"[22]. Another example appears at the end of chapter eighteen. He cut out the last section of the Latin text which explained how men could be legally proved to be noble. Blount acknowledged that he had chosen to edit this, and explained why:

> "There ys A certen maner & foreme In lawe whych techyth proctors & aduocates in what wyse they schall make ther Articles to prove men noble & howe to reprove them as not noble. But I thynk hyt not expediente for owre purpose to speke off hyt here: hyt ys more mete for men off law to vse hyt in ther lybels"[23].

In the translation of Book Two Blount presented information which was not in the version presented by Bysshe, or any of the other extant manuscripts. When describing reprisals Upton gave a case study which involved someone illegally robbed, and he named this person as '*Ticius, mercator*'[24]. In the translation the same figure is named as Thomas Wylfford, merchant of London[25]. That this name does not appear in any other text of *De Studio Militari* suggests this change is probably attributable to a desire on Blount's part to make the example more vivid and realistic.

A concern which Blount expressed more than once in his asides to the reader was about the inadequacy of English to properly convey the message of *De Studio Militari*. The first reference he makes to this is in Book One, chapter eighteen which discussed legal methods used to dissolve contracts. He abbreviated the Latin discourse, lamenting, 'hyt ys not possible to induce All ther reasones well In owre vulgar & mother tonge'[26]. He returned to this issue in Book Two, chapter one where he reproduced John of Legnano's discourse concerning the definition of battle as a form of strife. Blount once again abbreviated, remarking:

> "That thys diffinition scholde be trewe he prouyth throwghe euery particle conteynyd in the same acoredyng to the lernyng of logyck whych cannot conveniently be declaryd after owre vulgare Speche"[27].

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[21] Upton, De Studio Militari, 1654, p. 50-51
[22] Bodl. MS Eng.misc.d.227, fo 43r
[23] Bodl. MS Eng.misc.d.227, fo 50v
[24] Upton, De Studio Militari, 1654, p. 94
[25] Bodl. MS Eng.misc.d.227, fo 60v
[26] Bodl. MS Eng.misc.d.227, fo 41r
[27] Bodl. MS Eng.misc.d.227, fo 57v

These doubts concerning the utility of English as a written language may explain why Blount did not translate poetry in his translation, choosing instead to either paraphrase the verse quoted in the Latin text, as he did in Book One, chapter nineteen with the seven lines of Ovid's *Nux*[28] or to leave a blank in the text as he did in Book Four in the chapter on the lion where Upton quoted a poem on Henry II[29]. Nevertheless there are some parts where English increases the clarity of the discussion. An example of this is in Books One and Two where Upton discussed knights and soldiers. In Latin one word is used for both, namely *miles*. However in English Blount was able to differentiate between knights and men at arms in order to clarify the meaning of Upton's discourse.

To sum up, it can be shown that Blount's translation belongs in the *De Studio Militari* branch of extant manuscripts, and that this branch can be shown to be closer to Upton's final version than the *Baddesworth* version. The Blount manuscript was essentially a word for word translation of the Latin version. The most notable difference was that Blount omitted the detailed references that Upton had made. Blount's translation is slightly different in its layout, but except for the scribal error in Book Two this can usually be explained by the translation grouping the information Bysshe and the Latin manuscripts put in several chapters into one. Blount made his own points in brief asides in the translation to register his difficulties as a translator and the inadequacy of English as a language in which to express some of the complex legal points he found in the Latin original. That said, after comparing the translation with the Latin versions of *De Studio Militari*, it remains hard to avoid the conclusion that Blount's English version is a good deal more user friendly: the fact that he (and Mountjoy) thought it worthwhile to attempt a translation is a tribute to the intrinsic historical interest of the text in its own right.

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[28] Bodl. MS Eng.misc.d.227, fo 51v
[29] Bodl. MS Eng.misc.d.227, fo 124r

II

Editorial Conventions

The editorial conventions which I have followed in the presentation of the text of John Blount's English translation of *De Studio Militari* can be divided into three: additions and corrections; punctuation and layout; illustrations. I will outline each in turn.

I have inserted additions and corrections to the text using two sets of footnotes running concurrently. One set are letters which restart with every new page and the other set are numbers which begin at the start of each book and continue until the end. The letters relate to notes which add to or comment on the information given in the text and the numbers relate to corrections to the text of the manuscript and suggested amendments to it.

The vast majority of additions which I have made to the manuscript under the former head are references to sources. Upton referred to different types of authorities, for example in the first two books Upton made many legal references to the *Codex*, *Digest*, *Decorates* and other legal collections and also to commentators on the law, for example Bartolus of Sassoferrato. In addition Upton referred to classical authors such as Aristotle and Pliny, and medieval writers such as John of Salisbury. Although Blount's translation usually gave the authority which Upton had cited in support of the points being made the translation usually missed out the book and chapter references which appear in the Latin versions of the text.

I have inserted the chapter and verse of the source references, using Bysshe's edition as the source of the information. I have followed Bysshe's lead in choosing where to place the citations; wherever there is a reference to a source in the Latin version I have inserted a footnote at that place in the translation, and in the footnote I have put a modernised version of the citation which appeared in the Latin. I have not inserted any source references which are not in Bysshe's edition, therefore there are parts of the text of the translation which refer to an authority yet do not have an accompanying footnote and this is because the Latin version had no citation.

I have presented the citations in an updated form using the guidelines as laid out by James Brundage[1]. In particular this applies to the legal references. The method of updating can be described thus: the citations in Bysshe's edition are in their archaic form, for example in chapter two of Book One Upton said that knighthood was an office of pain and labour, and

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[1] Brundage, James A., Medieval Canon Law, London, 1995, ps 190 - 205

supported this with the following legal references: '*l. milites C. locati, & per naturas titulorum F. de re militari, & C. li. 12. de testamento militari. C. F. Justic.*'[2]. Brundage argued that the best representation of citations such as these was to proceed *a maiore ad minorem*, that is to say, to start with the largest unit in the reference and go through in order of size, representing the citation in Arabic numerals. Thus I have presented the above reference in this form, 'Cod. 11. 71; Dig. 49. 16; Cod. 12. 36'[3]. I have applied this principle to all of the other references, in particular representing numbers in Arabic form.

The corrections that appear in the numbered footnotes are primarily concerned with correcting scribal errors. Where the scribe has misspelled words I have corrected the word in the text and then registered the mistake in the footnotes, for example in the description of the 'crosse patee flowrete Vmbre' Upton described how the cross was most properly seen as a shadow but Blount's scribe wrote the word 'properly' as 'perproly'. In the main body of the text I have written the word correctly and inserted a footnote giving the original mistake[4]. I have corrected repetitions in the text in the same way. I have also included chapters which were missing in the translation but present in Bysshe's edition in the numbered footnotes. I have indicated where the chapter appears in the Latin edition and then I have included the whole chapter in the footnote, transcribed from Bysshe, for example in the discussion of inanimate charges I have inserted a footnote with the chapter *De Cruce invecta* between the chapters 'Off the crosse croycee' and 'Off the playne crosse vndee'[5].

The translation did not organise the text into paragraphs. I have divided the text into paragraphs by referring to Bysshe and inserted paragraph breaks into the translation where they appear in the Latin edition, except where doing so would have clouded the sense of the discussion. The Bodleian manuscript has no clear sentence divisions and used very little punctuation. The use of capital letters in the manuscript was not an indicator of where new sentences began or any other type of punctuation. I have inserted modern punctuation into the text, with Bysshe's paragraph structure as a framework, to make more clear the sense of the discussion being made. I have only changed the case of the first letter of a word from small to large where I have inserted a full stop to mark the beginning of a new sentence. Elsewhere I have left words beginning with capitals unchanged, irrespective of whether or not they were the first word of a sentence. I have not edited the spelling of the translation, except where it

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[2] Upton, Nicholas, De Studio Militari, ed. E. Bysshe, London, 1654, p. 7
[3] Bodl. MS Eng.misc.d.227, fo 5r
[4] Bodl. MS Eng.misc.d.227, fo 187v
[5] Bodl. MS Eng.misc.d.227, fo 185r

was a scribal error, as I have explained above. The only change I have made is to transcribe 'þ' as 'th', for example 'þere' as 'there'.

Book Four of the translation included many illustrations, especially in the discussion of inanimate charges. The illustrations were aids to the exposition of the heraldic properties of various charges and therefore they are shields which represent a blazon described in the text. The manuscript of the translation was a cheap copy and the quality of the illustrations reflects this; they are poorly executed and incomplete. The illustrations are important to the discussion as they usually explain the appearance of the charge in question and explain how that charge should blazoned. In order that the translation, as presented in this thesis, did not lose the illustrations I have electronically scanned in the illustrations which Bysshe created for his printed edition and inserted them into the margin where they are referred to in the text. The colour scheme used by Bysshe is the established line forms for heraldic colours. In the main part the illustrations which Bysshe presented were the same as those which Blount included. On two occasions the manuscript of the translation has left a space for illustrations which were not inserted, but which appeared in the Latin in the form that they were described. These two places were in 'Off aremes doble' with the arms '*Ill port dargent de coppe sus sable*'[6] and in 'Off Frettes in Aremes' one of the illustrated frets, '*Ill port de gewles vngs fret dor*', is missed[7]. I have inserted the illustrations into the text where they appeared in the Latin. The illustrations in the chapter 'Off lyngylles or labelles' were only sketched in Blount's translation and far from complete. I have put the completed shields from Bysshe's printed edition in their place. In the translation the chapter describing the toad in Book Four had only one illustration, of three toads. In the Bysshe edition there was also an illustration of three fleurs de lys, which I have included in the text. In the translation there are two illustrations which did not appear in the Latin edition. These were in the chapter 'Off Fissewes' with the shield '*Ill port dargent treis fusulez de gewles*'[8] and in 'Off lepes' the shield '*Ill port dazoure dez crois crocelez fichez & deux barbeulx ders an dors dor*'[9]. In both cases these shields were described in the Latin edition but they were not illustrated and for this reasons I have not included illustration of them here. There is another illustration in 'Off aremes doble' which is an argent field with sable waves which is not mentioned in the text and does not appear in the Latin edition and I have not included it in this thesis. In addition

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[6] Bodl. MS Eng.misc.d.227, fo 211v
[7] Bodl. MS Eng.misc.d.227, fo 215r
[8] Bodl. MS Eng.misc.d.227, fo 211v
[9] Bodl. MS Eng.misc.d.227, fo 214v

there are a few illustrations in Bysshe which Blount has no mention of in 'Off aremes doble' and I have not included them.

III

Description of Bodl. MS Eng.misc.d.227

John Blount's English translation of Nicholas Upton's *De Studio Militari*

Date: England s. xvi in.

Contents as in the Manuscript

1

(fo iii r) A note concerning the **ownership** of this manuscript by Sir Edward Bysshe in the Seventeenth century:

"Nicholai Vptoni de studio militari
Libri quatuor
Memorandum this book is a translation
of the book above written which
was printed by Sr Edward Byshe Kt
with notes thereon in the year
1654. as may appear page 3d
of the printed book and in the preface.
translated by John Blount student in
Oxford. Ita testor Petrus Le Neve Norroy
this book belonged to Sr E. Byshe"

2

(fos iii verso - vi verso) **Table of contents** for all of the chapters of the four books of *De Studio Militari*, with folio numbers.

3

(fos vii verso - 1r) **Dedication** by John Blount, the translator, to his patron, possibly William Blount, fourth lord Mountjoy. "My mooste humble Ande dewe commendacion promysyde plesythe your lordeschyppe too vnderstonde ~ At your lordeschyppes commawndment Always preste to be obedient for hys pour John Blount nowe beynge student In the vniuersite of oxforthe."

4

(fos 1v - 56v) **Book One** of *De Studio Militari*, which consists of nineteen chapters.

i. (fos 1v - 4r) "The firste chapter Of the offyce of A man of war And firste generally of nobilite"

ii. (fos 4r - 5v) "heyr folowythe the seconde chapter Whoo be they whiche may mayk knyghtts"

iii. (fos 5v - 7v) "The thyrde chapter howe or what wayse knyghtts be mayde"

iv. (fos 7v - 8v) "The iiij chapter off the Institution And Begynnyng off knyghthode"

v. (fos 8v - 10v) "The vth chapter What maner off men knyghts scholde Be or men of war"

vi. (fos 10v - 12r) "The vjth chapter" [the table of contents gives this chapter a title, namely "Off the order of men of warre"]

vii. (fos 12r - 14v) "The vijth chapter Off the ryght & pryuylegeys of menn of warre"

viii. (fos 14v - 15v) "The viijth chapter Off veteranes y^{t} y^{s} to say olde men off warre. . dimissyd frome warre: whome we call nowe heraldes"

ix. (fos 15v - 16r) "The ixth chapter Off currers or fotemen"

x. (fo 16r) "The xth chapter of horse men"

xi. (fos 16r - 17v) "The xjth chapter Off prosecutors other wyse callyd pursiuantes"

xii. (fos 17v - 19r) "The xijth chapter of heraldes of aremes"

xiii. (fos 19r - 21v) "The 13 chapter: Off warr & batell"

xiv. (fos 22r - 26v) "The xiiijth chapter Off privylegys geven to men of war & knyghts"

xv. (fos 26v - 3or) "The xvth chapter Off the ponischment of sowdeiares & certen restraynts of ther Lybertes"

xvi. (fos 30r - 32r) "The xvjth chapter Off the offyce of a captayne of warre"

xvii. (fos 32r - 34r) "The xvijth chapter Off A Leege fee"

xviii. (fos 34v - 50v) "The xviijth chapter what A fee a lyege on homage a fidelite ys"

xix. (fos 50v - 56v) "The ixx [sic] chapter To whome desscendyth nobilite"

5

(fos 57r - 81v) **Book Two** of *De Studio Militari*, which consists of thirteen chapters. The chapters were originally wrongly numbered, with two chapter sixes. A later hand has tried to correct this by adding strokes to increase numbers by one. Where this has happened I have noted the resulting peculiarity as [sic] in the description.

i. (fos 57r - 58r) "The fyrst chapter of Just Batell & dyuerse kyndes of hytt"

ii. (fos 58r - 59r) "The seconde chapter Off diuision of Batell & howe hyt ys diuydid"

iii. (fos 59r - 60r) "The iij^{d} chapter What thyng ys that whych ys callyd duellum in laten or what hyt betokenyth"

iv. (fos 60r - 62v) "The iiijth chapter howe meny kyndes there Be off thys Batell Bytwyxt ij men callyd duellum"

v. (fos 62v - 63v) "The vth chapter After what maner & way thys Batell schall be made: that Bredyth fyrste off olde Grutche"

vi. (fos 63v - 65r) "The vj chapter What thyng Be requyryd Affore thys Batell Be performyd"

vii. (fos 65r - 70r) "The vjj [sic] chapter What schalbe doone when ij men warr For purgation off eny cryme"

viii. (fos 70r - 71r) "The vijjth [sic] chapter What maner off wepons By custome a graunted [sic] to sooche men As fyght togyther in these casys Above"

ix. (fos 71r - 73r) "The viijjth [sic] chapter Off salve condute to be had"

x. (fos 73r - 74r) "The ixth chapter how many maner of wayes a salue condute or surete ys grauntyd"

xi. (fos 74r - 76r) "The xth chapter how surete or saluegarde ys grawnetyd By a publyque personne"

xii. (fos 74v - 76r) "The xjjth [sic] chapter What maner of wyse surete ys geven By settyng to sygne or tytle"

xiii. (fos 76r - 81v) "The xijth chapter What ys to be doone yf a saluecondute Be Broken"

6

(fos 82r - 116r, note fo 100 follows fo 89) **Book Three** of *De Studio Militari*, which consists of fifteen chapters.

i. (fos 82r - 83r) "The Fyrst chapter Off colowres paynetyd in aremes & off the noblenes off them & dyfference"

ii. (fos 83r - 86r) "What maner off thyng a colowe ys"

iii. (fos 86r - 100v) "The iii^{d} chapter Off the generation off colowres"

iv. (fos 100v - 101v) "The iiijth chapter Off the generation off mene colowres"

v. (fos 101v - 104r) "The vth chapter Off the golden or yelow colowre"

vi. (fos 104r - 106r) "The vj chapter Of the blewe colowre"

vii. (fos 106r - 107r) "Off the redd colowre"

viii. (fos 107r - 108r) "Off y^{e} purple colowre"

ix. (fos 1008r - 109v) "Off y^{e} grene colowre"

x. (fos 109v - 112r) "here folowyth of y^{e} other principall colowre the Black. . ."

xi. (fos 112r - 112v) "Of the graye or Russett coloure"

xii. (fos 113r - 113v) "Of the ledon or browne coloure"

xiii. (fos 113v - 115r) “Of the Asshen or crane colore”

xiv. (fos 115r - 115v) “Of the eerthy or sandy coloure”

xv. (fos 115v - 116v) “Of the tawny And salowe coloure”

7

(fos 116v - 218r) **Book Four** of *De Studio Militari*, which consists of one hundred and thirty eight chapters.

i. (fos 116v - 117r) “The furst chapiter of diverse signes penetyid in Armes”

ii. (fos 117r - 125v) “The second chapitre of the leon” [this chapter includes Henry V’s statutes of war]

iii. (fos 134v - 137v) “Of the leopard By Avoutrey”

iv. (fos 137v - 138v) “Of the Rame”

v. (fos 138 v - 139v) “Of the lambe”

vi. (fos 139v - 140r) “Of the bore”

vii. (fos 140r - 140v) “Of the Asse”

viii. (fos 140v - 141r) “Of the Spyder”

ix. (fos 141r - 142v) “Of the boeys”

x. (fos 142v - 143r) “Of the Oxe”

xi. (fos 143r - 143v) “Of the tood”

xii. (fo 143v) “Of the camell”

xiii. (fos 143v - 144r) “Of the goote”

xiv. (fos 144r - 145v) “Of the dogge”

xv. (fos 145v - 146r) “Of the bevoure”

xvi. (fos 146r - 147r) “Of the harte”

xvii. (fos 147r - 148r) “Of the horse”

xviii. (fos 148r - 149r) “Of the Elephant”

xix. (fos 149r - 150r) “Of the Ant or pysmer”

xx. (fos 150r - 150v) “Of the gryppe”

xxi. (fos 150v - 151r) “Of the hedge hogge”

xxii (fos 151r - 151v) “Of A beeste callyd linx”

xxiii. (fos 151v 152r) “Of the wolffe”

xxiv. (fos 152r - 152v) “Of the mousse”

xxv. (fos 152v - 153v) “Of the wesell”

xxvi. (fos 153v - 155r) “Of the catt”

xxvii. (fos 155r - 155v) “Of the Panther”

xxviii. (fo 155v) "The Sqwyrell"

xxix. (fos 155v - 156r) "Of the Mole"

xxx. (fos 156r - 156v) "Off the Tygre"

xxxi. (fos 156v - 157r) "Of the bere"

xxxii. (fo 157r) "Off the Foxe"

xxxiii. (fos 157r - 157v) "Off the Vincorne"

xxxiv. (fos 157v - 158v) "Off the Egle"

xxxv. (fos 158v - 159r) "Of the Sparehawke"

xxxvi. (fos 159r - 159v) "Of the ahet"

xxxvii. (fo 159v) "Of the heron"

xxxviii (fo 159v) "Off a byrde in laten callyd harpia"

ixl. (fos 159v - 160r) "Of the larke"

xl. (fos 160r - 160v) "Of the byrdys in paradyse"

xli. (fos 160v - 161r) "Of the butor"

xlii. (fos 160r - 163v) "Of the Dove or pygeon"

xliii. (fo 163v) "Off Quayles"

xliv. (fos 163v - 164r) "Off the Swans"

xlv. (fos 164r - 165v) "Off the Storke"

xlvi. (fo 165v) "Off the Crowe"

xlvii. (fos 165v - 166r) "Off the Owle"

xlviii. (fos 166r - 166v) "Off a byrde callyd a Calader"

il. (fos 166v - 167r) "Off the Calender"

l. (fo 167r) "Off the Goldfynche"

li. (fos 167r - 167v) "Off the Ravene"

lii. (fos 167v - 168r) "Off the diomedites"

liii. (fo 168r) "Off the Gerfalcon"

liv. (fos 168r - 171v) "Off the Falcon"

lv. (fos 171v - 172r) "Off the craanes"

lvi. (fos 171r - 172v) "Of the cok"

lvii. (fos 172v - 173r) "Of the Jaye"

lviii. (fo 173r) "Of the chowghe"

lix. (fos 173r - 173v) "Off the Swalowe"

lx. (fos 173v - 174r) "Off a byrd callyd the kynge fyscher"

lxi. (fo 174r) "Off Merlions"

lxii. (fos 174r - 174v) “Of the Osell”

lxiii. (fo 174v) “Of the Nuthache”

lxiv. (fos 174v - 175v) “Off the Pellycone”

lxv. (fos 175v - 176r) “Off the parthyche”

lxvi. (fos 176r - 177v) “Off the Pecok”

lxvii. (fos 176v 177r) “Off the pye”

lxviii. (fo 177r) “Of a byrde callyd a Vyne”

lxix. (fos 177r - 178r) “Of the Nyghttyngale”

lxx. (fos 178r - 179r) “Of the PopynJaye”

lxxi. (fo 179r) “Off the Turtle doove”

lxxii. (fos 179r - 179v) “Off the back”

lxxiii. (fo 179v) “Off the lapwyng”

lxxiv. (fos 179v - 180r) “Of the Dragon”

lxxv. (fos 180r - 181r) “Of the Dolphyn”

lxxvi. (fo 181r) “Of the Pyke”

lxxvii. (fos 181v - 183r) [Introduction to inanimate charges]

lxxviii. (fo 183r - 183v) “Of a crosse equall”

lxxix. (fo 183v) “Of a crosse pate”

lxxx. (fo 183v) “Of a crosse patee fiche”

lxxxi. (fo 184r) “Off a playne cordee”

lxxxii. (fo 184r) “Off a playne crosse peresyd”

lxxxiii. (fos 184r - 184v) “Off crosse talentyd or besantyd”

lxxxiv. (fo 184v) “Off crosse fflourtee”

lxxxv. (fo 184v) “Off crosse patee flowrtee”

lxxxvi. (fo 185r) “Off the playne crosse vndee”

lxxxvii. (fos 185r - 185v) “Off the crosse croycee”

lxxxviii. (fo 185v) “Off a crosse masculet”

ixc. (fo A186r) “Off cross moleyne”

xc. (fo A186r) “Off crosse in versyd”

xci. (fos A186r - A186v) “Off the forkyde crosse”

xcii. (fo A186v) “Off crosse ingrayled”

xciii. (fo A186v) “Off crosse trunked”

xciv. (fo B186r) “Off crosse botone or nodulat”

xcv. (fo B186r) “Off crosse flourete botonee”

xcvi. (fos B186r - B186v) “Off crosse doble paretyd”

xcvii. (fo B186v) “Off crosse doble paretyd flourete”

xcviii. (fo 187 r) “Off crosse moleyn vmbree”

xcxix. (fo 187 v) “Off crosse patee flowrete vmbre”

c. (fo 188r) “Off the crosse bordured”

ci. (fos 188r - 188 v) “Off crosse ermyne”

cii. (fos 188v - 189r) “Off aremes quarterd playne”

ciii. (fo 189r) “Off aremes quarterd quarterlez”

civ. (fos 189r - 189v) “Off aremes diuerse in euery quarter”

cv. (fo 189v) “Off aremes quarterd in grayled”

cvi. (fo 189v) “Off aremes quarterd Irrased”

cvii. (fos 189v - 200r, 189-199 is one leaf) “Off aremes quarterd in vected”

cviii. (fo 200r) “Of aremes quarterd indentyd”

cix. (fos 200r - 20v) “Of aremes paretyd after the lengeth”

cx. (fos 200v - 201r) “Off aremes paretyd clowdyd”

cxi. (fos 201r - 202r) “Off aremes paretyd transverse”

cxii. (fo 202r) “Of aremes paled vndee or Vndosid”

cxiii. (fo 202r) “Off aremes palyd tortuose scharpe”

cxiv. (fos 202r - 203v) “Off aremes Barryd playne”

cxv. (fo 202v) “Off aremes bared bendee”

cxvi. (fos 202v - 203v) “Off aremes barryd & tortuouse scharp”

cxvii. (fo 203v) “Off a bend in aremes”

cxviii. (fos 203v - 204r) “Off bendules or smal bendes in aremes”

cxix. (fo 204r) “Off bendules or smale bendes chayned”

cxx. (fo 204v) “Off bend fusuled”

cxxi. (fo 204v) “Off dyuerse bordures”

cxxii. (fos 204v - 205r) “Off armes wth bordure in grayled”

cxxiii. (fo 205r) “Off Bordure talentyd”

cxxiv. (fos 205r - 205v) “Off Bordure poderyd”

cxxv. (fo. 205v) “Off Bordures chekker wyse”

cxxvi. (fo 205v) “Off Bordures gobonate”

cxxvii. (fos 205 - 206v) “Off Bordure made of coloures in vectyd other wyse cally verree”

cxxviii. (206v - 208r) “Off aremes contreconate”

cxxix. (fos 208r - 208v) [fissures]

cxxx. (fos 208v - 209r) “Off aremes capitate”

cxxxi. (fo 209r) “Of aremes chekker wyse made”

cxxxii. (fos 209v - 210v) “Off Cheverons”

cxxxiii. (fos 210v - 211r) “Off aremes doble”

cxxxiv. (fos 211v - 213r) “Off Fissewes”

cxxxv. (fos 213r - 214v) “Off lepes”

cxxxvi. (fos 215r - 215v) “Off Frettes in aremes”

cxxxvii. (fos 215v - 216v) “Off lyngylles or labelles”

cxxxviii. (fos 216v - 218r) [End discussion on nobility]

Illustrations

Illustrations only appear in Book Four. All the illustrations were on the left hand side of the leaf and were inserted into the text where they were discussed.

The chapter concerning the lion, 4, ii, contained the heraldic arms of twelve kings of Britain as part of a discussion of the English Royal Arms. These illustrations were five lines long.

The chapter concerning the leopard (4, iii) contained two illustrations of heraldic arms which contained the leopard as a charge. These were the arms of Guy de Rochefort and Arnold de la Marche. These illustrations were six lines long.

In the chapter on the toad (4, xi) the arms of the Lord of Botrax were illustrated. Five lines long.

In the chapter concerning the weasel (4, xxv) two illustrations showed ermine with white body and black tails, and black body with white tails. Both illustrations were five lines.

In the chapter on the eagle (4, xxxiv) the Emperor of Rome’s arms were illustrated. Five lines.

In the chapter concerning the partridge (4, lxv) the arms of an unnamed gentleman ennobled by the Earl of Salisbury in Upton’s presence were given. (the arms were three partridges in a red field). Five lines.

In the chapter of the dolphin (4, lxxv) specimen arms of a nile dolphin in a red field were given. Five lines.

In the section concerning inanimate charges borne in heraldry (4, lxxvii-cxxxvii) there is at least one illustration in each chapter, to illustrate the charge under discussion. Usually these arms were not ascribed to an owner but were merely pictured and blazed. The majority of these were five lines long.

Technical Description

Material: Thin paper 276 x 197mm.

Pagination: ii + 434.

Construction of Manuscript: (fo I, 18th cent. Flyleaf), I [?6] structure uncertain (fos ii – vii), II[?3] structure uncertain (fos 1 – 3), III[?14] structure uncertain (fos 4 – 17), IV[12] (fos 18 – 29), V[10] (fos 30 – 39), VI[14] (fos 40 – 53), VII[4] (fos 54 – 57), VIII[10] (fos 58 – 64, 64b, 65 – 66), IX[14] (fos 67 – 80), X[14] (fos 81 – 88, 100 – 104, note fo 100 follows fo 89), XI[30] (fos 105 – 134), XII[20] (fos 135 – 154), XIII[16] (fos 155 – 170), XIV[16] (fos 171 – 186a), XV[16+3] three original slips added at fos 200b, 201b, 202b, after the 5th, 6th and 7th leaves respectively (fos 186b – 189, 200a – 200b, 201a – 201b, 203 – 211, note fo 200 follows 189, XVI[7=?14-7] structure uncertain, perhaps a 14-leaf quire lacking its last seven leaves after fo 218 (fos 212 – 218), I (fo 219, 18th cent. flyleaf).

Written Space: Written space 264 x 163mm, one column, 28 lines.

Scribes: (I) four scribes. First scribe fos iii verso - 5v. The second scribe fos 6r - 109v. The third scribe fos 110r - 153r. the fourth scribe fos 154r - 218r. (ii) Two later hands. Firstly the note stating that Sir Edward Bysshe owned the text was written in at the earliest 1654. Secondly marginal and sometimes textual additions are made throughout especially Books One and Two. These additions, when in the margin, indicate sources which may have been used by Upton, and when in the text add information which can be found in Latin editions of *De Studio Militari*, but which were not copied by the original scribe.

Watermarks: There are three watermarks. The first is a basic hand with a star connected to the middle finger by a line. This is from the start until folio 5. The second watermark is a more ornate hand with a sleeve and the middle finger connected to a four petalled flower. This watermarks is between folio 6 and folio 41. From folio 42 until folio 154 the first watermark returns. From folio 155 the third watermark appears: it is a single fleur de lys in a shield with a cross above it and what looks like a 'J' under each arm of the cross. The first watermark returns on folio 217. I have been unable to connect any of the watermarks to a particular mill.

Punctuation: *Littera notabilior* and variants of the colon are used throughout.

Binding: 18th century calf, gilt, using reversed covers of 17th century bindings, rebacked.

What is striking about the manuscript is the remarkable foliation structure which is almost completely irregular, and in particular includes a quire of 30 leaves.

This is most unusual and implies the person responsible for putting together the finished book was not trying to follow any obvious book structure.

History

De Studio Militari was translated by John Blount who describes himself as a student at Oxford. University records indicate that a John Blount was a student at the university in the first two decades of the sixteenth century, and he became a fellow of All Souls' College in 1511 and graduated BCL in the same year, and BCnL in 1515. Thus it is possible to say the translation was written at approximately this time, as Blount is explicit in saying he was a student while writing it. The identity of Blount's patron is most likely William Blount, fourth lord Mountjoy, as the name Mountjoy is appears several times. However the state of the manuscript, such as the poor quality paper and the unfinished illustrations and the poor quality of the third scribe indicated above, make it doubtful that this was a presentation copy to such a prestigious figure as Mountjoy. Therefore this may be a copy of the presented text or a working draft. Only two owners of the text can be identified. The two owners are Sir Edward Bysshe in the seventeenth century and F. P. Barnard who acquired the manuscript in 1901, and bequeathed it to the Bodleian library on his death.

Bibliography to the Manuscript

Printed Edition of John Blount's English translation of Nicholas Upton's *De Studio Militari*, Bodl. MS Eng.misc.d.227:

The Essential Portions of Nicholas Upton's De Studio Militari, ed. F. P. Barnard, Oxford, 1931

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Bonet, Honoré, The Tree of Battles, ed. G. W. Coopland, Liverpool, 1949

Brown, Andrew, Popular Piety in Late Medieval England, Oxford, 1995

Dennys, Rodney, The Heraldic Imagination, London, 1975

Keen, Maurice, Chivalry, New Haven, 1984

Keen, Maurice, 'Chivalry, Heralds and History', in Davis, R. H. C. ed., The Writing of History in the Middle Ages, Oxford, 1981

Keen, Maurice, The Laws of War in the Late Middle Ages, London, 1965

Keen, Maurice, Nobles, Knights and Men-at-Arms in the Middle Ages, London, 1996

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Jones, Evan J. ed., Medieval Heraldry, Cardiff, 1943

London, H. Stanford, 'Some Medieval Treatises on English Heraldry', in The Antiquaries Journal, XXXIII, 1953, ps 169 - 184

Upton, Nicholas, De Studio Militari, ed. E. Bysshe, London, 1654

Wagner, A. R., Heralds & Heraldry in the Middle Ages, Oxford, 1956

IV

Manuscripts of *De Studio Militari*

This is a list of all known manuscripts of *De Studio Militari*. I have marked the manuscripts which belong to the *Baddesworth* family with **B** after the citation[1].

- English translation by John Blount

Bodl. MS Eng.misc.d.227 (s. xv)

- Latin texts

CUL MS Dd. 10. 52 (s. xvi).

CUL MS Ll. 1. 18 (s. xv), fols. 113r --(118) [extract]

Cambridge, Fitzwilliam Museum, MS 324 (s. xv)

Cambridge, Gonville & Caius College, MS 665/472 (AD 1573), pp. 1 -- 279

Dublin, Trinity College, MS 801 (s. xvii), fols. 78 -- 89 {Book II]

BL MS Add. 30946 (AD 1458), fols 1r -- (110). **B**

BL MS Cotton Nero C. III fols. 1 r - (72) (s. xv)

BL MS Harley 3504 (s. ##), fols 1r -- (201). **B**

BL MS Harley 6106 (s. ##) [Books I -- III]. **B**

BL MS Harley 6149 only *De Coloribus* **B**

Arundel Castle MS 'Heraldry' **B**

London, College of Arms, MS Arundel 64 (s. #). **B**

London, College of Arms, MS Vincent 444 (s. xv). **B**

Los Angeles (CA), UCLA Research Library, MS 170/621 (s. xv).

New Haven (CT), Yale University Library, MS Marston 255 (s. xv), fols 1r -- 46v

Bodl. MS Holkham misc. 31 (formerly Holkham Hall, MS 707) (s. xv)

Ripon Bradfer - Lawrence Collection, MS 44 (s. xvii) [now untraced]

Bibliotheca Apostolica Vatican MS Regius Lat 1528[2]

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[1] I am indebted to Professor Richard Sharpe for his help in the compilation of this list

[2] Identified in 1995 by Ms Susanne Saygin, Balliol College

Text of J. Blount's Translation of *De Studio Militari*

(The text as bound commences with the table of contents at fo IIIv of the manuscript)

[**fo IIIv**][1] [Book One]

Off the offyce of A mane of ware ande firste generally of Nobylite	fo 1o	p. 9
What persons may mayke knyghttes	fo 4	p. 12
Howe or whatt wysse knyghttes be mayde	fo 5o	p. 13
Off the Institucion ande begynnyngeof knyghttes	fo 7o	p. 16
What maner of men knyghttes scholde be or men of armes	8	p. 16
Off the order of men of ware	10	p. 18
Off the Ryghtt Ande pryuylege of theme	12	p. 19
Off veterans that ys to say olde men dimissyde frome warre whome wee call Nowe heraldes	15	p. 22
Off currers or fotemen	eodem	p. 23
Off horsemen	16	p. 24
Off prosecutors other wyse callyde pursiuantes	eodem	p. 24
Off heraldes of Armes	17	p. 25
Off warr ande batell	19	p. 26
Off pryuileges geuen too men of warr	22	p. 28
Of the ponyschement of Sowiars ande certen restrayntes of ther libertes	26	p. 32
Off the offyce of A captayn of warre	30	p. 35
Off A lyege fooe	32	p. 37
What A liegiete An homage ande A fidelite ys	34	p. 39
Too whoyme descendythe Nobilite	50	p. 54

The seconde boke

Off Iuste batell ande diuers kyndes of hytt	57	p. 60
Off diuysion of batell	58	p. 61
What thyng is duellum or what yt betokenythe	59	p. 62
How many kyndes ther be of thys batell by twene ij men callyde duellum in laten	60	p. 63
After what wysse thys batell schalle be mayde that bredythe firste of olde grutche	62	p. 64

[1] The table of contents was written separately from the main body of the text, as some of the chapter titles and spellings are different. What is more, for the discussion of inanimate charges, the MS table of contents gives chapter titles to many 'chapters' which in the main body of the text were grouped into one chapter. The folio numbers are in a later hand. Except for fo IIIv and fo Viv the text is arranged as columns, I have marked where columns should be with a footnote. I have indicated 'chapters' in the table of contents which are part of earlier chapters in the main body of the text with a '*'. I have also inserted my page numbers for these chapters after the folio reference. There is sporadic underlining which I have not copied.

What thynges be requiryde Afore thys batell be perforemed	63	p. 66
What schalle doon whene ij men war for purgacione of eny cryme	65	p. 68
[**fo IV r**] What maner of wepons be grauntyde by custome to sooche Men as feyghtte to gyther	70	p. 72
Off Sawconduce to be hade	71	p. 73
How meny maner of waysse A salue condute ys graunetyde	73	p. 74
Howe hyt ys graunetyde by A publyque persone	74	p. 75
What maner of ways hyt ys gevene by settynge to synge or tytle	eodem	p. 76
What ys too be doone yffe A salue condute be brokene	76	p. 77
The thryde boke		
Off coloures payntede in Aremes Ande of the Noblenes of theme & difference	fo 82	p. 82
What maner A thynge A colour ys	83	p. 83
Off the generacione of coloures	85	p. 85
Off the generacione of mene coloures	100	p. 89
Off the goldene or yalowe colour	101	p. 89
Off the blewe coloure	104	p. 92
Off the Reyde coloure	106	p. 93
Of the purple coloure	107	p. 95
Off the greyne coloure	108	p. 96
Off the blake coloure	110[2]	p. 97
Off the grey or Rosset colour	112	p. 99
Off the ledene or broune coloure	113	p. 100
Off the Aschene or craym colour	eodem	p. 101
Off the erthy or sandye coloure	115	p. 102
Off the tawny or salowe coloure	eodem	p. 102
The iiijth boke		
Off diuers sygnes paynted In Aremes	117	p. 104
Off the leon	eodem	p. 104
Off the statutes of kynge henry the v^{the}	125	p. 111
Off the chyrches Ande Sacramenttes offe the Aultar	125	p. 111
Too what personnes men of warre schall be bounde to obey	127[3]	p. 112
Off spirituall men And whomen not to be Rauyschede	eodem	p. 112
Off watche ande warde	128	p. 113

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[2] The column ends here in the manuscript

[3] The order of this chapter and the one above as given in the MS table of contents is reversed in the text.

Off musters	eodem	p. 113
Off Trobles ande open clamoures in the hooste	129	p. 114
Off generall owterydynges	130	p. 114
Off lodgynges to be takynge	131	p. 115
Off prysonars	132	p. 116
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[4] In the MS table of contents there is no reference to this chapter. I have inserted it from the text
[5] The column ends here in the manuscript

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[7] There is no entry or folio number for turtledove in the MS table of contents
[8] This chapter is not given any title in the text

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[9] In the text there is no such chapter - it probably refers to opening of discussion of quartered arms
[10] In the MS table of contents this chapter does not have a folio number
[11] The column ends here in the manuscript

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[12]This folio is a single column in the manuscript.

[13]In the manuscript this chapter title is on the same line as next chapter title, and they are divided by a vertical stroke.

[**fo VIIv**] My mooste humeble Ande Dewe commendacion premysyde, plesythe your lordschype too vnderstonde that, At the commandent of my synguler goode lorde Ande master my lorde Mountioy, I haue translatyde your booke off Armes, As ensewythe heyr folowyng; whiche enterpryse (After I had dylygently ouerseyn the booke) I was uery loythe too tayke Apon me. Not bycause I wolde eschewe paynes or laboures therin (for to the vttermoste of my pour ther is nothynge whiche I Am Able to Accomplysche, but at your lordeschyppes requeste I wolde most effectually Apply my selff therunto) But for thys cause: that I parceuyd the booke was myxt Ande intricat not only wythe maters concernynge the grammaticall sens, but wythe meny diffuyse clauses Ande Reasons, as well off poettes, hystoriographers, Ande oratours as of phylosophers, lawers, & dyuynes. So that the translacion therof Accordyngly requiryde A man profunedely lerenyde Ande expert in All facultes: wher as I scasely Attayn to the competent knawleche of ony of the leyste.

Forthermoyr All the tym of the translatynge I was in the rude country, far froym goode cytyes & townnes wher recourse might be hade to copye of boykes And counsell of lernyde men whiche might haue bene greyt helpe ande socour for myn insufficience. Neuertheles seynge partly throwghe myn own promesse for lake of dylygent aduysement ande partly trowghe my lordes & masters commandement, I colde not conueniently auoyde myselffe theroff, I thowght it moire expedient for me too doo my beste dylygence In the translatynge (thowghe it war sommot onperfyt Ande fawtyffe) than by other excuysse to be suspectyde of negligence & falsse of my [**fo 1r**] promesse.

Also besyde thys ij thynges specially gaue me corage to tayke thys mater apon me: on was the comon Report of your gentill Ande benynge affection whiche you haue to clerkes Ande all other persons desirousse of connynge; A nother was the greyt payn ande laboures whiche you toyke too geue Audience too me so longe a season in redynge of A pore Interlude of myn in northe hampton schyre at my lorde my masters playce, wherein I parceuyde well you boyr greyt mynde and fauour to goode lernynge, seynge that too A symple Ande Rude mater contenynge but lityll ther of you war soo dylygently Attentyffe. Wherfoir I greytly confortyde throwghte the premissys Am the more bolde to sende thys poyr werke of myn vnto your lordeschype, moste humebly desirynge that howbeyt throwght myn Ignorance your goodnesse schall fynde Small pleasour therin. Yit that it wolde pleasse you in the Meane season to accepte hyt well a worthe on tyll god endewe me wythe larger conynge wherby than I trust better too satysfy your desyre As knawythe Almighty Iheus whoo preserue your noblenesse longe too hys pleasour In prosperousse honoure Ande estate.

At your lordeschyppes comawndment, Always preste to be obedient, for hys pour Iohn Blount, now beynge student In the vniuersite of oxforthe.

[1v]

The firste chapter

Of the offyce of A man of war And firste generally of nobilite

The most famowsse And excellent father and doctor of law, master Bartholl, diffinythe noblenes After this maner[a]: Noblenes ys A qualite geven By hym y[t] haythe A principall poure or Authorite, by the whyche qualite A man ys shewde too be Acceptyd A Bowe other personns off the comenalte. And firste he prouthye y[t] noblenes ys A qualite, For A qualite in Eny person ys soche A thynge that he maye Boythe haue yt and be wythowte hit wythowte eny perysshynge or corrupcion off hys bodly substaunce, As ys prouyd clerely by A woman of low stoke maryde too A noble man; by hyr maryage She ys made noble wythe hyme[b].

But may on be depriuyde of hys Noblenes & dignite whiche he haythe ons hade? Yes suyrely, As hyt Apperythe By A noble whoman maryde too A mene and lowe person, or in hyme whiche lesythe hys dignite throwgtte hys own offence[c]. And soo it is possyble y[t] At on tym A person may be noble, And At Another tym in A lowere state And degre et econtrary wysse. Also by the reason of the playce, A mannys state may very; soo y[t] in on plaice he may be made noble, And in A nother playce poure, As it Appery [**fo 2r**] rythe by the nobles of ynglonde taken prysoners In the Realme of fraunce. For as longe As they wer In the hondes off the Enmyse they war ther boundemen And prysoners, And yet In ynglonde they remayn fre And noble[d].

Forthermoyre hyt ys sayde, In diffyninge of noblenes, how it is A qualite geven, in that[1] hyt is sayde, geven An yll or vycyouse person ys nott excludyde, but he may haue thys dygnite, but he cannot haue hyt by hys owne gyfte, but by A nother mannys. For he that takythe hyt Apon hyme by hys owne Authoryte ronnythe In the daynger of the law that Julius mayde[e].

Hyt ys sayde that thys qualite ys geven Alsoo bycause hyt ys transferryde too A nother by the poure favowre of the graunter, And not by eny necessite compellynge[f]. And yet

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[a]Comment. in Cod. 12. 1
[b]Cod. 12. 1; Dig. 1. 9
[c]Cod. 12. 1; Dig. 1. 9
[d]Instit. 1. 2; Dig. 50. 16
[e]Dig. 48. 4; Cod. 9. 8
[f]Cod. 4. 3

[1] 'that' was repeated

I graunte som causes may be, whyche of congruence, schall moue the graunter too geve, thowghe he doo hyt not by necessyte. And thes causes may hap iij maner of ways.

Firste, vertuowse Acts geve occasyon heyreof that, by theym, men maye be promotyde too dygnites[a]. Secondayly, vycys or vyciows Acts may cause nobylyte, as ys mayd mencion in the begynnynge of the book of dygestys, how Suens flauius[2] cam too greyt dygnyte by these[b]. But wher as I sayde that throwghte vyces, dygnites som tyme be graunetyde, I deny not, but he that preferrythe so the onworthye of Afore the worthy, dothe offend greytly; After the saynge of Sante Thomas tretynge A pon thys qwestyon, wyther hyt be synne or noo, Accepcion of on person A [**fo 2v**] foyr A nother.

Moreover ther be som causes, nother vertuowse nother vyciowse, for the whyche meny tymes nobylites be grauntyde; as the lynage or stoke, for the wyche A prynce or the law somtym grauntythe nobylyte[c]. Soo, lyk wysse, Matrimony causythe nobylyte, for the honour of A whoman haythe yff sche war pore A foyr commythe by her husbonde, And not by Any vertewe of hers. And the mother somtyme ys nobylytate by the son. Howbeyt doctours of the lawe diuers wyse towche thys matter.

But heyreby it may folow that dygnite or noblenes may chaunce too on ignoraunt and not knawynge ther of; for (As hyt is sayde A foyre) noblenes consystythe In the Acceptacion of hyme that geuythe the dygnite[d], wher A pone lyke as my love y^{t} I haue to wylliam or henry may fall on hyme (he not knawynge therof) so lyk wyse nobylyte may chaunce as hyt is prouyde In a chylde borne of A nobyll man; the chylde forthewythe ys noble borne, thowghte he parceve yt not, nor vnderstounde hyt. And soo hyt folowythe on may be nobilitate, thowghte he haw noo vnderstondynge or wyll ther in.

For wheir as nobilite may fall to on Ignoraunte theirin, the lawe provythe y^{t}, As towchynge that partycle he is ignoraunte In, he haythe noo wyll too yt. Nor it consystythe not in the person or sensityve body, but onlye [**fo 3r**] In the Acceptacion of hyme that geve thys noblenes or dignite. As when on lokythe on A thynge, or desirythe yt, or lovythe hyt, the syghte, the desyre or love ys not in the thynge. For wee cannot saye that thys thynge doythe see, love or desyre. And soo lyke maner he whoyme hyt plesythe A prynce too Nobylitate

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[a]Cod. 1. 24; Dig. 1. 2
[b]Dig. 1. 2; Saint Thomas, Summa Theologia, 2. 2. q. 64
[c]Cod. 12. 1; Dig. 1. 9
[d]Cod. 1. 55; Instit. 1. 3; Cod. 7. 32

[2] Secretary to Appius Claudius Caecus, was elected to the aedileship in spite of his humble origins

haythe not thys noblenes on hym selffe, bot In respect of the gyver[a]. Nevertheles I graunt, As sone As he knowythe Soche dygnite ys geven hyme, there is Impressyde in hyme A nother qualite than theyr was A fore. Soo that, by Ande by, he haythe than A dignite As the lawe saythe.

By thys premissys hyt ys reasonde that suche nobylite may be gevene to one in the poynt of deythe, for it chauncythe A pon on Ignorant ther in, And hyt consystythe In the pleasoure off A nother person, As In legacyys or be questys whiche be geven too one not knowynge meny tymes. And soo At the poynt of deythe on may be mayde noble[b]. Alsoo infantes and pupylls may be mayde knyghtes[c].

Wheir A pone A question ys mouyde. Ande In suche A case The frenche kynge nobylitatythe A burgence or hys sonne for some poynt of konnyng crafte or manhode, or eny other causse, doythe he mayke hyme forthewyche thereby A Jentylman? Hyt scholde seyme so. For A pryncys Act moste haue A moste large [**fo 3v**] Interpretacion[d]. Theyrfoyr yf A prynce Nobylitate eny person, he grauntythe hyme All thynges longynge And dependynge Apon the sayme[e].

Thys question may be solde onder thys maner. Other A prynce gevethe A benefyt concernynge hys owne Ryghte, or towchynge the ryght of A nother man, or towchynge the law of nature. In the firste case A benefyt muste be vnderstonde moste largely. And surely this nobylyte soo grauntyde is greyt, By cause hyt is gevene by A prynce. But heyr by he doythe not optayne generosite, or the ryght of A gentyll blode, for that disscendythe By the lawe of nature, And consistythe In the blode. Wher as, of necessite, ys requirede yffe he be A gentylman, that hys greyt grauncers father, hys grauncer, scholde be A gentylman. Ande thys solucion makythe Bartholl, the greyt doctor of lawe, as concernynge thys question[f]. Yet I graunte the person, descendynge lynially the ivth degre froyme thys man, so nobilitate by A prynce schalbe A gentylman, if the sayde noblenes war not loste Afoyr by eny intermediat person. For the bloyde ys not purgyde vntyll the iiijth degre, as Bartholl saythe. Ande heyr of in my proces folowynge I schalle schewe moir.

Hyt ys sayd Alsoo, In descrybynge of noblenes, that hyt muste be gevene by hym [**fo 4r**] that haythe A pryncys pour or Authoryte[g]. For the lawe, boythe ciuell And canon, wolde that, by suche persons, hyt scholde be geven. Alsoo wheire as hyt ys sayde hyt ys gewen by

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[a]Cod. 3. 13
[b]Instit. 2. 20; Cod. 6. 37; Dig. 1. 5; Dig. 35, 1
[c]Cod. 10. 39
[d]Dig. 1. 4
[e]Dig. 50. 17
[f]Comment. on Dig. 1. 4; Comment. on Cod. 12. 1
[g]Dig. 49. 1; X 1

hyme that ys in pryncipall Authorite, Thys Authorite I vnderstounde generally. Whyther hyt be god, whiche optanynge hyyste ande chefe principalite, dide firste Institute thes nobylites and dignites, As hyt apperythe in the bible, in the firste and seconde boke of kynges, or whyther hyt be an Vniuersall prynce of the worlde, A monarche, or the prynce of Romans, whoyme the lawes ciuyll grauntyde too haue All Erthlye thynges vnder y^{er} powre[a]. Ande dowtles, by thoys lawes, hit is euident that he may geve nobilite, or whither it be any other Inferior kynge or prynce, As ynglonde, fraunce, hungarye, or els duke, Marques, or erlle whiche haue Authorite too mayke A lawe. For by the lawe is grauntyde nobilite[b]. Howe beyt, A prynce grauntythe too A comenalte, as vnto citees & borowse, too mayk lawes Amonge theyme selfe diuers tymmes. Ande soo they, that be noo knyghtes, may creat ande mayke knyghtes, some tyme[c].

Heyr folowythe the seconde chapter

Whoo be they whiche may mayke knyghttes

They that be noo knyghttes, Some tyme mayke And creat [**fo 4v**] knyghttes; As the poype, Ande greyt barons, beynge noo knyghttes Afoyre. And for A necescite, Sqwyers may mayke knyghttes, And prestes, but they be knyghttes, but noo knyghttes of Armys. But he, whiche ys mayde knyght by the pope, muste be degrayde if he war A gaynse the chyrche[d]. But ye may knowe thys of surtye: soche as be mayde knyghttes of theme y^{t} be noon them selffe, be creat, othere by necessite or by custome, whiche haithe strenthe of lawe. Ande thys mater doctors trete moche of, ande specially bartholl, In A certen repetition that he mayde A pone lawe towchynge y^{is} matter[e]. By necessite on may be mayde knyght soo, as I sayde befoyre. As by chaunce A person comythe too the sepulcgre of oure sauyore Iheus criste, willinge too be knyghtt. If he fynde noo knyght there, too mayke hyme, he may requyr A preste too geue hyme the order, As hyt is oft seyne. Ande this is trewe boythe for necessite ande by custome.

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[a]Cod. 7. 37
[b]Dig. 50. 4
[c]Dig. 1. 1
[d]Cod. 6. 6; Cod. 12. 31
[e]Comment. on Dig. 1. 3

And if theyr be noo preyste theyr, he may desyre sume sqwyer, As I sayde Afor, too mayk hyme. But yet meny say hyt is requiryde That such A sqwyre, which gyuythe hyme the order, schulde be noblely prouyde in actes of armysse ande batell afoir, ande that is sufficient.

Of these premissys ys A [**fo 5r**] Question mouyde. Whyther he, that haythe noo orders, may geue orders? That he scholde not, the holl natur of the title, in the decretalls, provythe euydently. Too the whiche, bernarde Answerythe heyrein, In the firste chapter of thys title, Allegynge for hym necessite, wythe whoyme Agreythe hewyre Bowyke, A nother doctor[a]. But herein, youe may say brevely that A knyghtes offyce was firste mayde for An offyce of payne or labore, ande not of honowr. For a knyght ys as A Seruant of the comone welthe, ande hys offyce verey trobleouse Ande besye, as hyt Apperythe in many places of the lawe. Howe beyt In monye thynges, hyt is pryuylegyde[b]. Ande the conraryys be trewe in soche orders by the geuynge wheireoffe theyre is Impressyde A certane caract or sygne In the sowle of hyme that receuythe the orders. As in clerkes, soche cane receue noo orders that be callyde holy orders, but of suche as haythe theyme. But In the creacion of A knight, their is Impressyde noo suche caracte. Wheirefoir I call hyt properly An offyce And noo order.

As I schall schewe Afterwarde, by custome or by statute, on maye be mayde knyghtt of hyme that is noone. As, peraventure, hyt is A custome Ande A statute In the cytie of hierusalem that the porter or the [**fo 5v**] kepar off the dore wheire the holye sepulchre ys, schalle create knyghttes theyre. A squyere ys the kepar theyre, whyche by custome or by statute, As i sayde, muste exercysse thoys thynges whyche perteyne too hys offyce. Ande soo In very deyde he creatythe their knygttes, Ande thys holdythe bartholle, wheirbye ye haue what maner of men may creat knyghttes[c].

The thyrde chapter

Howe or what wayse knyghttes be mayde[3]

[**fo 6r**] Knyghttes be creat meny wayse. Fyrst, As I sayde, at y^e^ holy sepulchre A nother way they be creat, by the bathe, whyche maner ys obseruyd moche in ynglonde & other realmes, where As peace Reynythe. Thys maner of makynge I let pas. Also knyghtes be creat by some prynce or hed captayne At y^e^ sege of townes, castels or fortalyssys & that

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[a]X 5. 28; Comment. on X 5. 34 (in Latin text 'Henry Bouick')
[b]Cod. 11. 71; Dig. 49. 16; Cod. 12. 36
[c]Comment. on Dig. 1. 3

[3] The rest of this folio is blank

diuers wyse, yff A sawte be made or ys to be made, Then he, that schall be create knyght, schall bere A sworde in hys honde, desyryng of the hede captayn At that sege to make hym knyghte; whyche prynce or captayne shalle take the sayde sworde owte of hys hondes[4] , & wythe bothe hondes holdynge hyt faste, schall smyte hyme wythe the same, And so name hym knyght.

And y^e^ the same captayne owght to assygne hym A nother Auncyent knyght, whyche schalle prepare gylden spoorys for hym & schall go wythe hym to make the sawte. Thys maner lykewyse ys obseruyd in makyng off knyghtes at the mine. But the auncyent knyght, to whome thys man of aremes ys commyttyd, shall watche All the nyght folowyng wythe hym in y^e^ sayde place.

[**fo 6v**] Forthermore knyghtes be create At feldes & soche conflyctes, but the maner of creation ys kept, whyche ys vsyde in assawtes. Nevertheles off honeste hyt ys required that the kyng off heraldes, yf he be there, or in hys abscence, some other that ys chefe in the hoste scholde call All them to gyther fyrst that scholde be creat, & bryng them A fore y^e^ chefe captayne of the hoste; requyreyng hym to creat them knyghtes. Than thys captayne schall take one of there swerdes from them & schall make them knyghtes, onder the maner As was schewyde A fore.

Moreover knyghtes[5] be made After A nother maner. What season that eny prynce enforcyth hym to conqwer the londes of hys enmy, pretendyng there vnto iust tytle, The kynge of heraldes than, or some other in his Abscence, schall get them to gyther & brynge them A fore the graunte captayne; & at the fyrst enterynge to the sayde londe, shall desyre hym to creat them knyghtes. Whyche captayne wol doo herein All thynges After y^e^ maner I schewde A fore. Thys maner schalle be obseruyd Also in eny Ieoperdouse passage of banke or brygge where men scholde passe from one londe or marchys to A nother. Thes forsayde maners be continually vsyd. Yff yowe knowe eny other that be [**fo 7r**] laudable & honest yow may kepe them boldly.

Mayster bartholle Assygnethe A nother maner also, whyche was obseruyde In the cyte off Constantinople, where he saythe that A doctor redynge actually x yere In cyuyll lawe, ys as A knyght Approbate & made in so doynge[a].

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[a]Comment. on Cod. 12. 15

[4] The following phrase is repeated in the text 'which prince or captayne schall take the sayde sworde owte of hys hande desyryng of y^e^ hede captayne at the sege to make hym knyghte'

[5] 'knyghtes' is repeated

There be also knyghtes caligate whyche be footemen. They be callyde caligate by cause they were lether bootes, but these be not noble men. They that ryde w^t^ lege harnes, they be of the noble knyghtes. Thys ys notyde by the doctor accursius sufficiently, whyche commentythe the lawse[a]. And here ys to be notyd y^t^ there be vj thynges necessary to one that scholde be A perfyt knyght, As the sayde Accursius schewys[b]. Fyrste, A knyght scholde be no marchaunte man or chapman[c]. Secondarily, that y^e^ condition of A knyght scholde be diligently examinyd & what hys dedis & actes hathe bene & y^t^ All soche partycles whyche ys made mention In the lawe pertenynge here vnto be Fully obseruyde. And specially he that scholde be made knyght be no bondeman, As master balde makythe mention A pon the rubrysche off the lawe tretyng hereon[d]. Thyrdly, that A knyght Swere by Allmyghty god & noblenes of hys prynce that in the chyrches feythes cause & the comenwelthys he shall not A voyde dethe nor fere to dye[e]. The fourthe case ys That Some noble man scholde gyrde hys sworde A bowte hym[f]. The v^th^ ys that he shalle haue geven hym A bage or token[g], as soche [**fo 7v**] whyche be made knyghtes off the bathe were, by custome, Apon there lefte scholders: hyt ys of whyte colowre & soche A note or bage, thys yonge knyght scholde were ontyll he had done some noble acte, but yff some lady take hyt away, as the custome of Inglonde techythe. The vj^th^ ys that he be regysterde In the kynges bookys Amonge Other knyghtes. And soche be perfytte knyghtes[h]. Of these poyntes be veresys made In laten:

Stigma, Genus, Scriptura, fides, examen & ensis
hec faciunt militem lex dicit bononiensis[6]

Mayster bartholle tretythe of Other whyche hade some tyme the name of knyghtes, but they be not noble men, but As gesters & scoffers[i]. As concernynge the whyche matter hyt ys to be knowne That we haue some offycers in pryncys, lordes & noble mens howses, whyche be callyd prosecutors off whome hyt schall be spoken hereafter.

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[a]Comment. on Cod. 5. 4
[b]Comment. on Cod. 2. 11
[c]Cod. 12. 34; Dig. 49. 16; Cod. 12. 36
[d]Cod. 12. 33; Comment. on Cod. 12. 33
[e]Cod. 2. 11; Cod. 10. 33
[f]Dig. 29. 1
[g]Cod. 11. 10
[h]Dig. 29. 1
[i]Comment. on Cod. 12. 1

[6] The Latin is inserted in a later hand

The iiij[th] chapter off the Institution
And begynnyng off knyghthode

Hyt ys sayde in the begynnyng off the story of the Romans, After Romulus had bylte the cyte whyche he namyde Rome, Agreing to hys owne name, he chose a m[e] fyghtyng men Amonge All hys company whome, A cordyng to the [**fo 8r**] nomeber of the name In laten whyche ys callyde *mille*[7] , he namyde them *milites*. For thys worde *miles* in laten betokenethe As moche as one of A m[e] chosen owte. And Romulus chose them owte, Amonge All Other people, As moste Apte to Away wythe payne & labowre of war[a]. Whereby hyt aperythe thys name was A name of labowre fyrst & not of dignite, as policratus saythe in the vij[th] chapter of hys v[th] boke; & As the noble clarke, Vegetius, saythe. Hyt ys necessary that soche scholde be chosen For men of war, Amonge the people, whyche scholde not onely passe other In strengythe of body, but Also in coragiowsnes of hart; that by them the strengthe of the Realme & fundation of the name of Rome may be supportyde & mayntenyde.

Nor thys offyce (saythe he) ys not to be commyttyd Indifferently to euery man that comythe As A thynge off lyght pryce, not to be regardyde; but to pykyde & chosen persons, for Amonge dyuerse other vertewes, thys vertew owre elders had in chefe reputation. For the offyce off A knyght ys soche that, to hym ys commyttyde the defension of Cowntreyse, by cause in maners, vertewse, good exameples & strengthe [**fo 8v**] hyt owght to passe All other offyces. For honeste makythe hym apte & mete to hys offyce, & schame fastnes sure & stable to fle. Hyt makythe to haue victordome of hys Enmyes. So lykewyse qwyknes ys requyryde & strengthe. For In All maner of conflyctes A multitude dothe not vayntage soo moche As vertew. Thys moche saythe vegetius.

The v[th] Chapter
What maner off men knyghtes scholde be or men off war

Barnarde, in hys exortation that he makythe to knyghtes off the chyrche, Saythe that knyghtes scholde be stronge, bolde, not ferefull, experte, prudent & well manerde. & specially he Assygenythe iij thynges necessary to A man off war.

Fyrste, that he scholde be stronge. Secondarily, bolde & Industriouse. Thyrdly, that he scholde be circumspecte to save hym selfe & not to heddy, delyuer to lepe in & owte & redy to smyte. And therefore, In the olde tyme, Salust schewythe of pompey, the gret

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[a]Dig. 29. 1

[7] 'a m[e]' is repeated

captayne how he wolde prove maystrysse wythe nemble & lyght men wythe lepynge; wythe swyfte men by ronnynge; w^{t} stronge [**fo 9r**] men, by wrestlynge, & none cowlde lyghtly be fownde to matche hym. So A man of war scholde vse hym selfe Alway to schoote, to cast the darte, to breke speres, whereby hys enmye myght be hurt A far of & ferede. And by excercyse off these sayde wepons a man schall be bothe more stronge In hys Aremys & get more cunnynge In fyghtyng.

Wherefore delicate, feminyne & ferefull personnes scholde be no men of warre. For the beste thynges longyng to men of warre be: to smyte hys enmy boldely; to cast no parels; to fere no thynge but schame & An yll name; to suffer hete & colde gladly; to reste & take hys ease on the bare grownde & to away wythe labowre & pouerte. Thys saythe bernard to the knyghtes of y^{e} chyrche. And so wytnesyth vegetius lykewyse, Sayng he y^{t} ys brought vp tenderly & vsyde wythe dayntes ys no mete man of war. And that A rusticall felow off the cowntrey, that ys wonte to ly in the open felde in froste & snowe & hete of the sonne, ys moche more apt hereto; whyche ys vryde wythe rayne, hayle, storemes, And tempestes; that knowythe not what bathes & soche delicate kepyng menys; A pleyn body, contentyd wythe lytle mete, whose lymmes be indurate [**fo 9v**] And vsyde to suffer paynes & gret labors; whyche Also hathe bene customyd to bere yron, to make dykes, to ondermynde, as hyt ys wryttyn in the ij^{d} chapter of the vjth boke of policratus. Gedeon Also, As hit ys rehersyde in the vijth chapter of the Iugeges in the byble, overcome an innumerable hooste of men wythe A smalle companye. For, where As, agaynste the madianites he browght foorthe meny thowsandes, Almyghty god bad hym he scholde not trust to y^{e} gret nomeber, but to the aptnes of the personnes; shewyng hym ther how he scholde chose soche as were mete for batell, owte of that gret multitude. Brynge them All (saythe Almyghty god) vnto the water to drynke & All those whyche lap water wythe ther mowthes lyke dogges, take them to warre & refuse All the other. And so he had but iij C of All hys multitude In batell a geynste hys enmyes, whyche were stronge Ande bolde. & wythe that smalle company dyscomfytt them all & got the victory. And yet these men, that ware so valyant, war browght vp amonge the regall delicates & costly Festes, bothe of cytes & the cowrte. Wherefore, saythe the noble clerke vegetius, necessite requrythe somtyme thys tender & delicate personnes, browght vp in cytees & borowse, to be compellyd to vse fete off Aremes: As to schote; to ronne[8] [**fo 10r**] wythe the spere; to caste y^{e} darte; to tollerate & suffer the hete of the sonne; the duste in

[8] At the foot of the folio is written 'w^{t} y^{e} spere' which starts the next folio

there face; & they scholde lerne howe to be contentyde wythe lytyle mete, thowghe hyt were very grosse; And to lye on the bare grownde In there tenttes.

But bycause meny men of warre now A dayse geve them selfe to wanton plesures; to hawkyng, huntynge & moche ease, They be effeminate & in experte in chyualry. Meny now A dayse care more for gorgiowse Apparell & goodely armowre, than for exercyse & practyse in poyntes of warre, And takyng paynes & labores therein. Where As in contrary wyse A knyght scholde be more tyme[9] in hys harnes then in any other Apparell. Therefore we rede of hannibal, what season he restyde wythe kyng Antiochus for hys refuge & the kyng schewyde hym hys hoste: how flowrysschyng & bryght hyt was, bothe in Aremes & horse harnes, & how gorgyowse & costly. Askyng of hanniball, As reioysynge there at: *How say yowe? Thynke yow not thys syght sufficient to warre wythe the romannes?* He Answered agayne qwykly & scharply, Notynge the cowardenes of hys men of warre, For All there precyowse Armowre, *I thynke surely*, saythe [**fo 10v**]Hannyball, *hyt ys ynowghe for them, but yff the Romannes be covetowse they woll fyght the sorer for so gay a bootye.*

Neuertheles, soche costly ornamentes be not vtterly to be despycyde in aremowre. Specially for thys cause: for yff hyt chavnce A gret man to be taken prysoner, soche preciouse gere may save hys lyfe. The machabeys had gylden scheldes, whereby The powre & strengthe of the gentyls was scatred A brode[a]. And Vegetius schewythe Also when scipio of Affryk sawe One bere A gorgeowse schelde that he sayde these wordes, hyt ys no merveyle that he made so moche coste off hys schelde (saythe he) For he trustyde more to that than to hys sworde[b].

The vj[th] chapter

The noble author, Valerius Maximus, schewes of A certen captayne of the Romannes, one callyde Mettellus; howe that he forbode eny soiare scholde have to serue, for hys vse, eny bondeman or beste, in tyme of batell, but that he scholde bere hys owneselfe hys armoure & cary hys baggage & soche other thynges nessessary wytheowte helpe of eny other, [**fo 11r**] bycause he myght be vsyd wythe great payne & laboure[c]. And in lyke maner, Vegetius makythe mention that, what tyme the vse off navyes or of fyghtyng was not As yet necessary to the Romannes, yet they war towght to make schyppes & occupy them selfe

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[a]Machabees, 6
[b]Vegetius, De re militari, 4. 1
[c]Valerius Maximus, Facta et dicta memorabilia, 2

[9] In the text 'tryme'

therein in soche vacant tymes of warre; las they myght be corrupte throwghe overmoche slowthe or, throwghe to moche lybertye & ease, doo iniury & hurte to there felows. Valerius maximus schewys, Alsoo, off the mervelowse statutes Amonge men of warre & of the strayte correccion of there excesses, bryngyng in meny exameples. And Specially of one manlius Torquatus, A gret captayne, whyche causyde hys owne sonne to be put to dethe For no other cause, but that he went to mete hys enmy In the felde, & slew hym there A fore hys father knewe of yt. Iugegyng herein moche better for the father to lese hys sonne (ware he never so bolde A man) than the cowntrey to lak there order & dissciplyne in warre or batell.

And meny other exameples there be off [**fo 11v**] correccion of Soiares. As of them whyche soffer them selfe to be taken prysoners, beyng well aremyd, The Senators wolde none soche scholde be ravnsomed. Or of them that flede owte of the forwarde, The ponyshement was other to be beton nakyde wythe roddes, or to be reputyde as gret enmyse & so to be slayne, or els to be denyde of there fees & wayges.

& thys correccyon kept so straytely Amonge men of warre subdewde vnto the Iurisdiction of the Romannes the grete kyngdome of Italy & browght onder there subiection meny innumerable cytees & grete Realmes & dominions of moste valiant kynges & gentyles. And of thys Spekythe policratus, That connynge, exercyse & Iuste delynge made the Romans conqueroures of All nations. And therefore they prevaylyde ageynste the grete multitude of frenche men; A geynste the talnes & goodlynes of the germannes; a geynste the strengthe & powre of the spanyardes; A geynst the falshed & deceytes of the cartaginenses. Trogus pompeus Afferemythe lykewyse That Alexander the great receyuyde of hys father but A Small company of men of warre, but they warre well practysyde & vsyde in actes of warre, wherefore wythe there helpe he wente throwhe [**fo 12r**] moste parte of the worlde & discomefytt innumerable hostes of hys enmyes[a]. And so Apperythe that A good order and discipline In warre preservythe & savythe All thynges to moste honowre & suertye[b].

The vijth chapter

Off the ryght & pryuylegeys of menn of warre

In the begynnyng off the decrees hyt ys sayde That yf warre ys A Solempnite to brynge in batell, And A knott of A covenant to be made wythe A sygne or tokene geven

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[a]Trogus Pompeius, Historiae Philippicae, 11
[b]C. 23 q. 1 c. 7

when men schall set forwarde to fyght wythe there enmyse. Also A divisyon of the booty or pray gotten & iuste partynge off the[10] same Among men of warre After the qualitees & laboures of the personnes, And the pryncys portion besyde.

But the pryuyleges of men off warre, that they had by the olde lawe, Apperythe more largely by the wrytyng of dinus, the interpreter of the lawe[a], & bartamentes. & As concernynge herein, iiij thynges must be consideryd. Fyrst the forme & solempnite of the testament A bowte the whyche A Soiare ys dispensyd wythe in ix casys: Fyrst, in the nomeber of wytnesys. Secundarily, hyt ys not requyryd hys wytnes scholde be desyryde [**fo 12v**] to bere wyttnes[b]. Thyrdly, he ys not bownde to Institute hys sonne heyre, or by name to exeredate, so that he let hyt pas wyttyngly[c]. Fourthely, hys next heyre, thowghe he have pretermitt hym, schall not cause hys testament to be Annullyd therefore, As the lawe off Velleius wolde[d]. Fyfftly, he may institute hys heyre in codicillys whyche be taken for small Scrolles, or small bookes, wherein an heyre may nother be institute, nor disherit by the comen lawe of cyvyll[e]. Syxtly, hys testament schall be sooner conferemyd, & Also broken sooner than eny others, for hys A vauntage[f]. The vij[th] ys in A substitution pupyllar. That ys to say, whan he substitutythe An heyre to hys sonne, yff he chavnce to dye Afore he come to lawfull age, he ys not bownde to make hys sonnes testament Afore; As other by the lawe be bownde[g]. The viij[th] ys, hyt ys not requyryd for the confirmation of A pupylls testament, that the heyre scholde enter In possesion[h]. The ix[th] ys, he may departe wythe ij Testaments[i].

Yet, notwythstondyng All thes pryvileges, the persone whyche scholde be thys wyse dyspensyde wyth muste be consyderd: whyther he be convict of eny capitall cryme[j]; or whyther he be dome or deffe[k]; And as concernyng hym whyche ys A prisoner wythe hys enmyse; or that ys [**fo 13r**] A warde hyt ys not dyspensyd wythe herein[l]. And the reason ys

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[a]Comment. on Dig. 29. 1
[b]Dig. 29. 1
[c]Dig. 29. 1
[d]Dig. 29. 1
[e]Dig. 29. 1
[f]Dig. 29. 1
[g]Dig. 29. 1
[h]Dig. 29. 1
[i]Dig. 29. 1
[j]Dig. 29. 1
[k]Dig. 29. 1
[l]Dig. 29. 1

[10] In the text 'tre'

for the impedyment of bondage ys not A poynte of the cyvyll law or of eny pryuat cyte, but generally of the law of All people[a]. And Also an impediment of discretion whyche fallythe in A pupyll or warde ys lykewyse of the same lawe generall. & therefore the forsayde dispensation whyche the cyuyll lawe grawntythe to Soiars extendythe not to these cases.

Also consideration muste be had of the person that ys Institute And of the persones to whome byquestes be made. And herein ys to be considerede that some body ys lett by the commen lawe, bycawse off defawte whyche ys as towchyng the generall lawe of people. As in hym that ys bonde; wythe soche a man of warre hit cannot be dispensyde. Also somtyme A body ys lett for an Impediment in the cyvyll lawe. & herein A distinction ys to be made: other by soche dispensation wythe A man A nother scholde lese hys ryght, or els nott[b]. In the fyrste case he ys not vnderstonde to be dispensyde wythe All. In the seconde he ys, & that in iij casys: Fyrste he may be institute heyre whyche other wyse by the comen lawe cowlde not. Secondarily hyt ys sufficiente that he [**fo 13v**] be capax At the poynt off dethe. Thyrdly hyt ys ordenyd for A Speciall favowre & grace that the lawe gevythe to A manne of warre That he schall not leve hys goodes to an whoman whyche ys had in yll suspicion. But thys ys nott by the strengythe of the comen lawe off cyvyll, but by the reason of A wrytt that the Emperowre Adrian made.

Moreouer we must consider the substance of the disposition of the goodes. For yf one be prohybit to dyspose them, les he scholde hurte A nother mannys Ryghte, Than thys prohibition extendythe to A soiare Also[c]. But yff he be prohibit to disspose them where As no other mannys Ryght scholde be loste thereby, than hit extendyth not to A Soiare. But yf soche A disposition be prohybyte by cause hyt ys contrary to the statute of the pretor, or bycause hyt ys contrary to goode maners, or els for some other consideration As towchynge A pryvate person, Thys disposition ys prohybyte[d].

And than hyt ys thowghte to be dispensyd wyth A Soiare in vj poyntes: Fyrste ys A Soiare may Institute An heyre for A certen portion off hys goodys, & so dye testate As towchyng one parte thereoff, And dye In testate As towchynge [**fo 14r**] A nother parte. The Seconde poynte ys he may Substitute, directly, an heyre to A strange person Institute by hym[e]. The thyrd ys An oblyque or indirect Instititon made by hym, schall be taken As a directe[f]. The iiij[th] ys that wordes put forthe for some other Intent schall Induce A

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[a]Dig. 29. 1
[b]Dig. 29. 1
[c]Dig. 29. 1
[d]Dig. 29. 1
[e]Dig. 28. 6
[f]Dig. 28. 6

disposition[a]. The v[th] ys he may substitute one directly to hys sonne emancipate[b]. The Vj[th] ys he may Aggrauat hys heyre A bove A dodrant off hys heritage; that ys to say, where hys heritage consistythe In xij percells or vncys, he may geve ix From hys heyre thereof Awaye[c]. The priuyleges off men of warre whyche they had by the olde lawe be largely towchyde In A booke callyde Vallensis, In the vj[th] chapter of the ix[th] distinction off the Fyrste parte, For they have meny lybertees & pryuyleges there. They be free from all exactions & meny other chargys. They may be excusyde of ignorance of the commen lawe. They beyng Vnder there fathers powre May make A wyll of suche goodes As they have goten In warres. And bycause they haue take payne for y[e] comenwelthe, they scholde haue lyvyng provyde For them sufficient [**fo 14v**] That they nede not to begge, as policratus Saythe[d].

The Vse wherefore warre was ordenyd, & specially knyghthode, ys: For to defende the ryght of the chyrche & the feythe; To honowre prestehode[e], For they be knyghtes As the Apostell Saythe of warre wytheowte aremes; To Avenge the wronges off poore people; to poorge & rydde the cowntrey off wykkyd lyuers; & to schedde hys blode for to vpholdethe gosspell off Cryste, & yf nede be to lese hys lyffe In the quarell[f]. They be not ordende to rob or to spoyle other mennys goodes or to warre In An oniuste quarell, but For to exercyse themselfe A coredyng to consciens & goode Iustyce. For Julius cesar, being A pagan, forbyd that temples & halowyde placys In Eny wyse scholde be hurte or Spoylyde. And the hoste off Brennius contynewyde Always on conqwerd ontyll they ryse Ayenst godes, Inuadyng The temple of Apollo As policratus wrytythe[g].

The viij[th] Chapter

Off Veteranes, y[t] ys to say, olde men off warre, dimissyd frome warre, whome we call nowe heraldes

[**fo 15r**] In the premissys A fore we haue towchyd of men of warre being stronge, valiant & In goode state. Now restythe to schewe off veteranes, that ys to say, of olde men whyche for feblenes off age be apte no more to take paynes in batells or warres. There

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[a]Dig. 29. 1
[b]Cod. 6. 21
[c]Dig. 29. 1
[d]Policraticus, 6. 8
[e]Policraticus, 2. 7
[f]Timothy
[g]Policraticus, 6. 17

pryvylegys, lawes & Favores be Incorporate in meny places off the[11] cyuyll law[a]; & Specially one Bertrandus, A doctor, makythe A similitude bytwyxt heraldes In owre tyme nowe & these olde men off warre, these veterannys, declaryng that In the olde Tyme, when prynces And captaynes, by conqueryng off Realmes & cowntreys, had remaynyng in ther hoste some valiant Soiares sore wownedyd & maymede[b]; They war wonte to provyde them off A competent lyvyng, & other thynges necessary For them, whyche so wowndyde war callyd Afterwarde Veteranes. And they war better promotyde & more setby than other olde Sowiars that war not wownedyd, bothe bycause they war gretly experte In feetes of warre, & Also bycause they put them selfe Forthe for the defence off the comen welthe & there prynce, to the vtter destruction of there bodyys. [**fo 15v**] And by there cowncell & wysedome (thowghe there bodly strengthe war smalle) bothe batels & besegynge off townes & castells. And Also the diverse machines off mervelowse werke longyng thereto war orderde & gydyd honorably.

Wherefore, At lengthe in processe of tyme, These forsayde Veterannes, these wownedyd Sowiars, wer had in soche honowre that by them there prynces bysynes war schewde to ther Aduersaryys, & rebells, wytheowte eny hurt or perell; And scholde be As messangers bytwene parety & party to proclame peace & warre. So that they war put in so great trust At laste That they wolde not schewe the secretes of the one parety to the other, thowght they war ther enmyys. And In ther placys be vsyde nowe heraldes off Aremes. By what wayse & what maner of personnes they be create, I schall speke In my proces Folowyng.

The ix[th] chapter

Off currers or fotemen

Fyrste, for originall, hyt ys to be knowne that Emperowres, kynges & other gret pryncys must nedes [**fo 16r**] have certen messengers to spede there bysynes; off the whyche messangers, the chefe be currers or Fotemen, whyche bere ther lordes bage or Armes peynted In certen boxys hangyng At ther gyrdels, sumwhat A bove the reynes off the backe, And they schall not be sufferde to bere them In Eny other place. And these may be made knyghtes For

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[a]Cod. 12. 46; Cod. 12. 12; Cod. 12. 43
[b]Bertrand Caprioli in verbo militia

[11] In the text 'he'

the cunnynge they have In ther offyce. But yet they be not As noble men: Thes be callyd calygate knyghtes. Off these I spoke A Fore in the thyrd chapter. And the doctor off lawe Accursius declarythe sufficiently of them[a].

The x^th^ chapter of horse men

There be, besyde these currers & runners A fote, Ascendyng by order, other messangers whyche be callyd horsemen. & these schall bere there lordes aremes on there lefte scholder & no where els. These be chosen owte of the fotemen A bove sayde, & so creatyd: By takyng A way the box from ther gyrdell, wherein there lordes arms[12] war, & by puttyng hyt A pon there scholder. But than they schall geve A speciall othe to there lorde off trew Allegence.

The xj^th^ chapter

Off prosecuters other wyse callyd pursiuantes

[**fo 16v**] Fortheremore besyde these For sayde horsemen There be other messangers, whyche be callyd prosecutors, whyche be chosen owte of the forsayde horsemen After iij yerys exercyse in rydyng. & they be creatyd for to doo certen bysynes off ther lordes, havyng thys solempnite At there creation. They owght to be create at no lesse Feste than A sonday, Vnder thys maner: An heralde of Aremes, Clothyd wythe the cote Aremowre of thys persons lorde, Schall lede thys man in hys lyft honde, holding a cuppe Full of water & wyne in the ryght honde, & so brynge hym to hys lorde or maysters presence, off whome he schall aske for, in the presence of meny wytnes callyd thyther for the same cause, what name hys lorde wolde have hym callyde. And after hys lorde & master hathe gevyn hym hys name, The heralde, callyng hym by the same, schall powre A quantite of the water A pon hys hede, takyng the cote aremowre of hys sayde lorde & puttyng hyt A pon hys hede ouerthwarte, So that the parte whyche ys ordenyd for the aremes [**fo 17r**] be put to hang A fore hym & be hynde hym, & the otherparte whych ys longer & syder to be put A pon hys aremes, to hang so of bothe sydes. And After thys maner thys prosecutors schall were the cote Armoure when so euer he puttyth hyt on hym, & no other way as longe As he ys in that offyce.

And thys ys the othe that he schall make here Folowyng, in the presence of the forsayde wytnes (the heralde Sayng vnto hym onder thys maner): *Thow schalte be trew & feythfull to thy lorde or mayster From hens forthe for euer, whyche hathe geven the thy name, what so euer dignite, or honowre Fall vnto the. Also thow schalt be trew vnto the kyng &*

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[a]Comment. on Cod. 5. 4

[12] In the text there is a gap where I inserted 'arms'

to eny other noble man, thoughe he be an enmye. And thow schalt Feythfully execute thy bysines of all noble men, what so euer they be, thoughe they war enmyse. And when thow schalt be requyryd Amonge enmyys of eny thyng, thow schalt onely answer to those thynges that be demaunde, & tel no new thyng els. Thow schalt Also kepe thyne owne honeste & thyne offyces vnto dethe. & thow schalt be obedient to Al heraldes of aremes whersoeuer thow schalt come, [**fo 17v**] *As god schall be thy help, & the holy crosse off chryste.* Off thys othe doctors note in the holy decrees & other partes off the lawe[a].

And hyt ys to be Vnderstonde that these persones may be knyghtes & enioye ther ryoltees; As to were golde, veluet & sylkys. But yet they be not As noble men; Soche persons be callyd knyghtes of the tonge, For ther chefe honowre restyth In kepyng ther tonge well. And As concernyng these[13] forsayde iij offycers how they schall bere the aremes & scheldes of ther lordes hyt ys declaryd by these versys Folowyng:

Cinctorio scutum dicas portare pedmum
Sic equitis dignum fort Scapula dextera signum
Ast humero Leuo tulerat prosequutor ab Euo
Sic heraldorum stat pectore fons titulorum[14]

The xij[th] chapter of heraldes of aremes

Owte off these prosecutors A fore sayde (After they have exercyde there offyce dewly by the space of vij yere) are made gretter messangers; whyche be namyd heraldes of aremes, whose offyce ys to create Inferior messangers, As I schewde A fore & to vewe A tones A great hoste & multitude of people[15]; to begynne treatyse of matrimony & peace bytwene prynce & prynce; to vysyte dyuers [**fo 18r**] Realmes & cowntreys; to honowre chyualry, & to desyre to be present in all actes off warre; to order the publique clamors & proclamations In tornamentes & lyke poyntes off warre; To shewe Feythefully & trewly bysynes bytwene enmyse; & to favoure no party in soche actes of batell or fyghtyng whyche ys had bytwene ij noble men, but to schew All thynges Feythfully & w[t] owte eny clokynge, whyche hathe bene commaundyd by the superior to one partye or bothe partyes, or that hathe bene commaundyd from one parety to A nother. And these owght to were the cote

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[a]Dig. 11. 7

[13] In the text 'these' is repeated
[14] The Latin is inserted in a later hand
[15] In the text 'multi [gap] A people'

Aremowres off there lordes, & to putt them A pon them After the same facion as ther lordes were them In what so euer conflictes, torneamentes, Feldes, or batels they schalbe, or when so euer they schall ryde throwghe Eny strange regions. Also At great Festes, mariagys and coronations of kynges, qwenes, pryncys, dukes & soche other great lordes Solempnitees, they may vse there lordes cootes lykewyse. And they be bownde to be [**fo 18v**] present in straynge countreys or regyons to the honowre & great renowne of ther lordes. These forsayde heraldes Sometyme be create when batells & feldes be poynetyd, As vnder thys maner: A kyng or prynce, considering the good & trew service of hys prosecutor, A Fore he wayge batell wyth hys enmyes, he woll call hym in the presence off hys felowse there by A newe name, commendyng hys industriusnes, Fidelite, diligence, honeste, & secretnes In kepyng hys councell & so nobilitate hym; rewareding hym At that tyme wythe certen londes or A sufficient Fee. & he schall Assygne hym certen aremes Acoredyng for hym & heyres. Forthermore heraldes be creat at coronations of kynges & qwenes, or at torneamentes, but After the same maner I schewde A fore. Thys heralde so creat schall take hys othe After thys forme folowynge: *Thow schalt Swere that thow schalt observe & kepe feythfully All the particles conteynyd in the prosecutors othe. Soche matters &* [**fo 19r**] *bysynes as shall be commyttyd to the, thow schalt execute them wytheowte eny crafte after playne trewthe. Thow schalt not hynder thy Speciall lorde in eny soche secret councell as he puttythe the In trust wythe, nor in eny munitions or savegardes that he hathe made For his defence. Nor thow schalt nott hurte thy lorde In eny mater off Iustyce of hys or eny other causys perteynynge to hys honeste, nor in eny off hys possessions, As god schall helpe the & the holy crosse.*

The 13 chapter: off warre & batell

Where that we haue sene a fore of yonge sowiars & Veteranes, olde men of warr, now we schall Speke of warre hit selfe. In generall, hyt ys to be knowen thowghe these heraldes were aremes As knyghtes, yet nother they nor ther prosecutors be noble, for ther offyce ys a puplyque or comen offyce, whyche they Are bownde to fullfyll & execute for euery man that requirythe hyt, thowghe he warre an enmye, as the offyces of notaryys be. Ther ys fownde in wrytyng iiij maner of warrys or batells: The fyrst [**fo 19v**] ys callyd virtuall, The second Spirituall, The thryd Votall, The iiijth humayne.

To thys first warre The holy apostell paule exorteth All prelattes of chryste chyrche A yenst the enmyse of the feythe, these bringers Vp of heresyyse & False erroures; & he

wolde haue them warre ageynste them strongly & feythfully, where as he saythe, *labora Sicut bonus miles Ihesus christi*. Labowre, saythe he, lyke A goode knyght of Iheus christe[a].

The seconde warre ys Spirituall, whyche ys ageynste the carnall lustes & plesures of the body, of the whyche the Apostell Spekyth Also, wrytyng to the people off ephysy, & the holy man Iob; whyche saythe that the lyffe off man a pon erthe ys nothynge els but warre, menynge therby the warre bytwene the sowle & the Flesche[b]. Whereapon the noble & holy doctor Saynte Gregory Spekyth vnder thys maner: he that schall Fyght In thys batell must be In hys indevoure prudent & circumspect, well practysyd in lerenyng, Indewde wythe great corage, & [**fo 20r**] vertue, & in constance hartye[c]. Hyt ys A great thyng, sayth Sainte bernard, to vaynqwysche the devyll than kyng pharao wyth All hys prowde hooste[d].

The thryd warr ys votall. To thys warr Saynte bernarde exortythe All soche personnes whych, for the love of god & deuotion vnto the faythe of chryste, make A vowe to warr ayenst these infidells, as these knyghtes of the roodes & saynt Iohnys be[16], & All other personnes that be feythfull & stedfaste in chrystes lawe[e]. Sayng vnder thys wyse, comforthe yow, Sowiares & knyghtes off Cryste; surely wythe A bolde stomake resyste Chrystes enmyys & dryve them Farre from yow. How gloriowse a thyngys hyt is For yow to retorne from batell as conqweroures off them. *Oo*, saythe he, *how blyssydfull be those marters whyche dye in that felde or warre*. He cowntyth hym as A bolde knyght whych lykewyse, [**fo 20v**] As he aremes hys body wyth yrone & stele, so dothe areme hys sowle wyth perfytt Feythe. These whych dye in so iust A qwarell, lyve by the grace of god In perpetuall glory.

The iiij[th] laste batell ys humayne. That ys to say worldly. Of the wyche, for my present purpose, I intende to trete here more largely. Thys warre ys exercyde onder A worldly prynce. In the executyng wherof iiij thynges principally Are to be considerd. Fyrst that soche men of warre, After A certen order & lawe, scholde be chosen & sworne[f]. Secondarily that they be off goode strenght & myght[g]. Thyrdly that they be hardly & straytly

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[a]Paul ad Timotheum, 2. 2
[b]Paul ad Eph. 6. de qua Job 7
[c]Gregory, Moralia, 8
[d]St Bernard, super Cantica, omelia 39
[e]St Bernard, super Cantica, omelia 39
[f]Policraticus, 6. 5
[g]Policraticus, 6. 7

[16] In the text 'ye'

browght vp[a]. And the fourthe ys not onely to be Feythfull & sure to there prynce, but Also amonge there owne selfe one to a nother. I sayde fyrst that soche men of warre scholde be elect & sworne, [**fo 21r**] For they vnderstondyng wherof, hyt ys to be knowne that ij Speciall thynges makyth A man of aremes: election & hys othe, As policratus saythe[b]. And As concernyng the creation & makyng off knyghtes I schewyde yow afore, And off the begynnyng off the story of the romannes, how romulus chose owte A m[e] Fyghtyng men off hys cyte & namyde them men of aremes or as knyghtes.

For As papias saythe romulus was the fyrste that pykyd & tryde owte soche Amonge hys people. & thys worde *miles* whyche ys geve them As ther name In laten ys As well a name of honowre, As policratus saythe, As hyt ys A name of laboure. Vegetius sayth Also, As concernyng the election of A man of warre, In thys poynte Saythe he, the honowre of A comenwelthe consystyth that men of warre be chosen not onely soche that passe other in goodlynes off body, but Also In stomake & harte, for ther be dyvers whych Appere to syght apt & mete herein, but [**fo 21v**] when they come to the tryall they be provyd onworthy.

Soche personnes therfore whyche be fownde onmete herefor scholde be put A bak & other more apt chosen In ther Romes. Egesippus, A certen author, rehersyth that in the hoste of the Romans was not onely requyryd strength of body, but Also of the mynde, & not considerd so moche to fyght valiantly & strongely Ayenst hys enmy, As to kepe dewly the order & statute of the lawes off warre, las sometyme A man of warre being to ferse & hasty may be to hys enmyys soner As A pray, than to hys owne parety cause[17] of victorye.

Off the othe that knyghtes take I have schewde yow A fore. They swere Also they schall neuer forsake warre yff nede be, nor to refuse to dye in the comen welthys cause for whose servyce they ar principally creat. And after they geve thys othe Than they schall be gyrdyd wythe a gyrdell & enioye All other priuylegys of warr[c]. [**fo 22r**]

The xiiij[th] chapter

Off priuylegys geven to men of war & knyghtes

Forthermore ther be meny pryuyleges geven to these men of warre by the cyuyll lawe that dewly & trewly execute ther offyce. Fyrst they schall be free From soche laboures

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[a]Vegetius, De re militari; Valerius Maximus, Facta et dicta memorabilia, 2. 2
[b]Policraticus, 6. 1
[c]Policraticus, 4. 1; Cod. 2. 11; Cod. 10. 55; Cod. 6. 21; Cod. 12. 8; Cod. 12. 33; Cod. 12. 39

[17] In the text 'cause cawse'

as men take in prouision for the kyng in tyme of warre, or eny other necessite of the comen welthe; As to be puruiars For vitall or collectors for money, or to be bownde to pay toll tax or talenge & soche lyke. Also the ignorance of the lawe may excuse them. And though they be onder ther Fathers powre, yet they may make ther testament off soche goodes as they haue goten in warrys[a].

There was A Solempn custome vsyd some tyme that, the same day that A knyght or man off aremes was gyrdyd wythe the militare gyrdell, he scholde go solempnly to the chyrche, layyng hys Sworde a pon the altar And offering hyt vp, as thoughe by solempne profession he had vouyd hymselfe to the seruyce off the Alter, to do hys bysy dylygence for the supporting of the ryggt of the churche, to hys vttermoste powre. [**fo 22v**] Howbeyt, hyt schall not be necessary for hym to vse soche wordes at thys solempnite, for they be vnderstonde at hys profession when he ys made knyght. And as concerning a man vnd he schall not nede to make heryn eny soche profession, As lerenyd men war wont to doo. What maner of men these scholde be & what paynes they scholde take, hyt ys schewede in the vth chapter.

And also of ther payne & hard lyvyng ys made mention In the cyuyll lawe: how that they scholde haue for ther vitalls gobettes of brede, hole loofes, wyne, vinacre, larde & wethers flesche. And they scholde haue these minysterde vnto them After thys maner: For ij days to gyther gobettes of brede or some say bysket brede diuydyd in certen partes for euery man. The iij^{d} day hole loofes a pece, & one day wyne, a nother day vinacre, one day larde, & a nother day wethers flesche, that ys to say mutton or els some other flesche.

[**fo 23r**] And these men of aremes or warre, what so euer they be, scholde not onely be sure & faythfull to ther captayn, but Also moste stedfaste & trusty A mong them selfe. For they schall Alway be[18] the surer that there fidelite ys among them selfe, the more be drede of ther enmyse And econtrary wyse, where as eny dissention or discorde growythe, there ys very syldome & harde truste of victory.

Men of warre therefore sholde be knytt one to a nother In so stedfaste love that they scholde thynke the victory that eny of ther felowse gettys to be ther owne honoure. And the one to put hys lyffe In ieopardy to helpe the other. Soche in a fygure to vs ware the noble knyghtes Ioab & abisay whych fowght ayenst the people off Syrya & the Amonitees. For eche of them, by feythfull frenchyp, helpyng the one the other drove ther enmyys to flyghte.

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[a]Dig. 49. 16; Comment. on Dig. 29. 1; Comment. on Dig. 29. 1

[18] In the text there is a gap in the text where I have written 'be'

Wherfor Ioab sayde to A bissay a fore, brother myne, take A goode harte vnto the And let vs fyght strongly for owre people & the cyte of god. For yf the Syryans [**fo 23v**] prevayle Ayenste me, thow schalt be my socoure, & yff the Amonytes put the to the worste, I schall be thyne helpe. And so, by kepyng trewly fidelite to gether, they put ther enmyys to Flyght & woone the felde[a]. Herevnto Agrethe the phylosopher wher he saythe, A man scholde rather dye for hys felows defence than to Fly or to commytt eny thyng schamefull or dyshonest.

Here Incidently ys movyd A question: whyther hyt be synne to warre? To the whyche (savyng my prestehode) I am A schamyd to make Answerre, bycause I haue toylyde & bysyd my selfe at dyuerse trobles In warre, At meny seagys, fortalyssys, Assawtes & actes of batell. Howbeyt I say wythe dauid, blyssyd be they whyche All tymes doo trewe Iugement & Iustyce. Ther ys a text in the byble whyche may stonde w^{t} me, I thynke, that schewyth onder thys maner: As the batell ys at honde & redy to begynne The preste schall stonde A fore the forwarde & speke vnto the people on thys wyse: Thys day syrs yow schall warr ageynst yowr enmyse. Take no false [**fo 24r**] harte vnto yow, be not A ferde, geve no place in no wyse nor put no drede in them, & so forthe as in the processe there. Hyt Folowyth also there: yff thow come to a cyte to gett hytt, offer hyt Fyrste peace; yff the wyll accept hyt & sett open the yates let all the people in hyt be savyd, & doo the servyce vnder trybute. Yff they woll not make soche covanant, but try hyt by batell than thow shalt ley seage vnto hyt, And whan god hathe geven hyt the in to thy honde by vycterdome, Thow schalt destroye All people of the mankynde in hyt wythe thy Sworde, except whomen, infantes & Iumentes that be wythe in the cyte. And thow schalt dyvyde the pray among thyne hoste & ete of the spoyeles of thyne enmyse, soffering no man in the cytees that[19] thow schalt get to lyve, but to slay them all bothe of etheye, ammorrey & chananeye, & etc.

Whereby hyt folowythe, yff a preste (as hyt ys sayde A fore) owght to proclame onder thys maner to men of warre, to corage them [**fo 24v**] To slay After commaundement off god, Moche more the Sowiar that Fyghtyth, yff he kyll & slay hys enmye he ys excusyde, For warre in hyt selfe ys not vnlawfull, thowghe the mysvsyng of hyt be onlawfull, as saynte augustyne expresly prouythe & the holy decrees[b]; where as hyt ys sayde, hyt ys not synne in hyt selfe to warre, but to warr principally for covetowse of the praye, that ys synne.

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[a]Kings, 2. 4
[b]Augustine, de verbis Domini, 19; C. 23 q. 1 c. 5

[19] In the text 'tha'

And thowghe soche myssvse may be meny maner off wayyse, yet hyt consystyth specially In iij thynges. Fyrste in hurtyng of Innocentes. Secondarily in exaction off lareger waygys & stypende than they deserue, For there being In warre, or in exercysyng off them selfe more for vayneglory & schewyng off there strengthys to the grete hurte off there Felows, than in eny thyng els, as at turneys & Iustes. Thyrdly when they Fyght for couetowse & auaryce, & not principally for defence of the comenwelthe, the cowntrey, & the chyrche of god, As I schewde yow afore.

Notwythstandyng [**fo 25r**] there be meny exercyses of warre very necessary, as ronnyng, Turnyng of the ryght honde, Crafte to stryke in tyme & bere of, & to caste the darte or to schute As the law makyth mention of[a], & hyt ys rehersyd Also in the byble, wher kyng dauyd commaundyd hys people to teche the chyldern off israell the way to schewte[b]. Forthermore a question ys askyd whyther hyt be lawfull for men to Fyght or to execute Feetes of aremes A pon sondayys or holy dayys?

Yow may answer after the sayng of Sainte Thomas, that the kepyng off holy Festes lettyth not A man from soche thynges whyche be ordeynyd For hys helthe or saluation of hys body[c]. And therfore owre lorde reprouyd the Jewes, sayyng yow haue dysdayne At me bycause I helyd A syk man a pon the holyday, And For thys cause Physitions may lawfully mynyster ther medicyns apon holydays[d]. Moche more than soche thynges may be execute A pon A holyday whych be for the preseruation of A hole commen welthe, [**fo 25v**] Seyng For the helthe off one manne A lone hyt may be permyttyd. And thys I iuge by batell or warre. Wherfore I conclude a pon holy days & other festes, batell may lawfully be execute, yff so be necescite off the comen welthe or off the chyrche, requyre the same. For yf men scholde lett to warr by the reason of the holy feeste, in tyme of necescite, hyt warre perauenture A temptation off god theryn, Whyche ys forbyd. Neuerthelas, yff ther be no grete necessite, I doo not alowe hyt.

Moreouer there ys A questyon mouyd, Whyther a man of warre may vse false traynes or craftes to ouercome hys enmy in warre. Saynt Thomas Afferemyth, in a iust batell, that he may, And Saynt augustyne concludythe lykewyse[e]. But they schallde not deceve ther enmyyse in telling eny false tale, or not kepyng there premysse to them. Nor they scholde

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[a] Cod. 12. 36
[b] Kings, 2
[c] Summa Theologia, 2. 2
[d] John, 7
[e] Summa Theologia, 4. 13; Comment. C. 32 q. 7 c. 2 and C. 23 q. 1 c. 3

geve no poysone to there enmyse to drynke, as valerius maximus Saythe, where as he bryngyth in how Timochares promisyd hys captayne to poysone kyng pyrrhus, ther enmy & that by the meanes off hys sonne, whych was the kynges [**fo 26r**] Cup berar. But whan the Senatours knewe heeroff, they scent worde to kyng pyrrhus, ther enmy hereoff, that he myght be more ware & wyse to avoyde the daynger, Schewyng how they had lever gett ther by the Sworde & strengthe off aremes, than by eny soche false trayne[a].

Now, After I haue schewde yow how men off aremes be create, what ys there offyce, & what othe they make, I Aske thys questyon: The emperoure warres ayenst the chyrche; Whyther may hys knyghttes help hym, not brekyng ther othe? Hyt semyth they may: by cause the batell ys made by authorite of ther prynce & at hys commaundement. Also by cause hys iurisdiction & the chyrchys be dyuers, as the canon law schewythe[b]. Forthermore in all thynges perteynyng to warre the Emperours Subiectes be bownde to be obedient vnto hym, thowghe he war Scymatyk as aperyth by A text in the holy decrees. Thys questyon ys movyd by A doctor callyd Johannes de lyniano in a treatyse he makythe A pon warre; whyche Assoylyth thys [**fo 26v**] question onder thys maner: The emperoure ys an aduocate & patrone off the chyrche, & ys bownde to defende hyt & therefore he owghte not to invade hyt, As the canon lawes chewyth Also. For yff he doo he Abusyth hys powre & owght to be ponyschyd in that he trespacyth herein, As ys euydent in meny placys off the lawe[c]; ye & moreouer soche obstinacy in a chrysten prynce ys cownetyd As heresy, For the pope ys the Emperoures superior, & dothe examen hym, reprove hym & depose hym[d]. In thys case, therefore, the Emperoures men of warre owght not to helpe hym ayenst the chyrche, but rathar to resyst hym; For the pope herein Assoylyth them from the bonde off Fidelite, as in meny placys off the canon lawe ys expressyd sufficiently. Off thys bonde off fidelite I schall speke hereafter[e].

The xvth chapter

Off the ponischment off Sowdeiares & certeyn restrayntes of ther lybertes

Now ensuythe to see how sowdyars Fownde Fawetyffe in the premissis be ponyschyde. Fyrst they be bownde [**fo 27r**] to kepe there othe, & to obey ther captaynes. For yff they doo contrary to ther commaundement (thowghe hyt be well doone) yet neuertheles they schall lease ther lyffe for hyt[f]. An exameple hereoff Saynt augustyne bryngyth off brutus

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[a] Valerius Maximus, Facta et dicta memorabilia, 6. 2
[b] X 2. 1. 13; X 17. 13; X 2. 28. 7
[c] X 2. 13. 7; C. 11 q. 3 c. 63
[d] X 1. 6. 34
[e] C. 15 q. 6 c. 4
[f] Dig. 49. 16

cassius, A Romanne, wyche Slewe hys owne sones bycause they gave cownecell ageynst the liberte of the cyte of Rome[a]. And Also off Torquatus, whyche Slewe hys sone not for eny hurt he dyd ayenst hys cowntrey, but bycause he put hym selfe in preace for the defence of hys cowntrey, contrary to the commaundement of hys Father; as what tyme hys enmy cam prykkyng forthe in to the myddes off the felde a fore All the hoste, off A grete pryde to preve who durst be so bolde to meete hym man For man. Thys torquatus sone of a bolde corage Alone then, honde to honde mett hym & slewe hym. For the whych act, thowghe hyt was valyently done, yet hys Father the captayne causyd hym [**fo 27v**] to suffer dethe, onely for preuentyng the tyme that the hoste was syghned to set Forthe. And thys hys father dyd, las there scholde ryse more inconuenience by exameple off hys commaundement contempnyde & so lytle sett by, than goodnes or honoure in slayng hys enmye.

Forthermore men off warre be in soche a restraynte that they owght not to medell wyth tyllyng or plowyng off londes, nor kepyng off bestes, nor occupyyng of marchandyse, or other mennys bysynes[b]. Also they owghte to by no londes, For the tyme that they vse warre, nother in ther owne name, nother in any other mannys. Nor yet to be bownde to no bysynes off the cytees they be off; and yff they by eny londes at that tyme, they schall be forfett to the kynges behoofe[c].

There be other ponyschementes be syde, that Sowdiars haue; as correction by the purse, Iniunctions of diuers paynes & labors, dimission & expulsion from hys company wyth great schame & rebuke, desposyng off [**fo 28r**] hys degre From hyer state to lower[d]. As for suche servitute or bondage that the cyuyll lawe schewyth of certen to be condempnyd to dygg metalle duryng there lyffe, men of warre schall not be put to that, but for soche offence worthy the same punnyschment They schall lease ther heddys: For A man of warre doyng soche offence ys not reputyd for a Sowdiar, but an enmy herein. Soche maner off men of warre schall lese there heddys As ley violent hondes on ther captaynes[e]; The whyche be inobedient to them; they whyche rone A way from ther company, or fly fyrst owte off the

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[a]Augustine, De civitate Dei, 1. 18
[b]Cod. 12. 36; Cod. 11. 71; Cod. 2. 12
[c]Dig. 49. 16
[d]Dig. 49. 16
[e]Dig. 49. 16

forwarde ther felowse lokyng A pon them; Spyyse that schew the secretnes off the hooste to ther enmyys[a]; A caligate knyght whyche I spoke of A fore, that for fere off enmyyse fayned hymself seeke. Also who so euer wowndyth hys felowe wyth hys Sworde, he that voluntaryly wounedythye hym selfe wythowte A cause, or that slaythe hymselffe But yff hyt be for werynes or tediusnes that he hathe off hys lyffe, or for sorow or payne that he ys [**fo 28v**] Not able to soffer for soche, be notyd off infamy as diffamyd personnes. Also he that dessertyth hys captayne At eny dystres when hyt lay in hys powre to helpe hym lesyth hys hede.

And he that gothe From hys dyke, thowghe he have perforemyd hys bysines well, ys servyd lykewyse. And he that trobleth or brekythe the kynges peace, or causyth eny Insurrection or sedition among the hooste In tyme of warre[b]. But yff hyt be done In tyme of peace, A horseman that causyd hyt schall lese hys degre, A foteman chaynge hys rome & be put owte off wagys[c]. There be meny diuers ponyschementes Also for them That leuyth ther company & stelyth from them, for they be not ponyschyd all after one maner, but after consideration had to ther degree, ther order, ther wagys, ther intent & certen other circumstancys[d].

Some leve ther company & cummyth to them A gayne wyth in A small space, & these be callyd in the lawe Emansores[e]. Some be very long A way & be browght to ther company A geyne ayenst ther wyll; these be callyd desertores whych, [**fo 29r**] yff they be fownedyd In the cyte schall dye for hyt, or els, off these forsayde bothe personnes, ponnyschment schalbe executyd After the arbytrament off ther captayne. Off thys matter doctors of the lawe treat very moche[f].

Neuertheles thys ronnar from hys company, thys desertor, yff he be taken the seconde tyme wythe the fawte, whersoeuer he be fownde he schall lese hys lyfe. & soche vagabundes levyng the warr, or they be dimissid[g], yff they chaunce so to dye All ther goodes be forfett[h].

Off these premyssis ys a questyon mouyd: The hed captayne off an hooste commaundyth that no Sowdiar breke owte towarde hys enmyyse or to go from hys stondarde, onder payne of dethe, Some valiant knyght wyth A grete company off Sowdiars that he had rewle of, broke forthe towarde hys enmyse & throwghe hys boldenes made a gret conflict &

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[a] Dig. 49. 16
[b] Dig. 49. 16
[c] Dig. 49. 16
[d] Dig. 49. 16
[e] Dig. 49. 16
[f] Dig. 48. 4
[g] Dig. 48. 4
[h] Cod. 12. 36

wonne the felde; wyther schall he dye for thys dede or noo? Hyt semyth he scholde, by the [**fo 29v**] authorite of the lawe[a], for hyt ys sayde he that dothe a thyng that the[20] captayne Forbyddyth, or dothe not after hys commaundement, thowghe hyt war well done, he schall lese hys hed. And the lawe wol Also that all soche personnes whych be vnder obedience scholde be bownde to the same[b]: For the vertewe off obedience ys of a grete strengthe[c]. And an yll dede schall not be excusyd by the reason that a goode effecte Folowythe a pon hytt, as the holy decrees testifyethe[d]. Also dedes scholde not be consyderd a pon a chaunce. Wherefore thowgh hys dede chauncyd well, he scholde not be Iugegyd therby, but acoredyng to hys obedience to the statute. For the contrary parte, hyt ys reasonde thys wyse: A payne whych owght to be execute a pon one that hathe done ageynst the law or hys prynce commaundement, may be relesyd for some connyng or noble dede that thys gylty personne hathe effectually doone, As bothe cyuyll & canon law wytnesyth[e]. Wherfore sens thys man hath done so noble a dede he scholde be paredonyd off thys trespace[f]. Thys questyon ys [**fo 30r**] not well solvyd, but remyttyd to the determunation of ij doctors, petrus & Cynus, tretyng A pon the same mater, in a certen autentyke off the lawe[g].

The xvj[th] chapter

Off the offyce of a captayne of warre

We haue spoken moche a fore of a captayne off warre. Now folowyth to know soche thynges whych perteynyth to hys offyce[h]. And hyt ys to be knowne that hyt perteynyth to a captaynes offyce to assyst hys Sowdiars, to gett them vitells, to soffer no horsys of warre to be led owte of the cowntrey, to kepe men off warre In ther tentes & placys, To bryng them forthe to exercyse fetes of aremes, To instruct yonge begynners in poyntes of warre. Fals hartyde men & slogardes, by honest & crafty colowres to skorne & deryde, So that he be ware & wyse that, by hys wordes, the forsayde Cowardes may be better sett on corage. Also to sett them to on seuerall warke or bysynes, as to fyschyng or huntyng, to kepe the kayes off the yates, to go abowte the watche, To Assygne the watche worde, To be present to see what [**fo 30v**] whete ys delyueryd For hys company, to a lowe hyt or to ponysche for False mesure,

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[a] Dig. 49. 16
[b] Dig. 17. 1
[c] Dig. 14. 6; Dig. 9. 2; Cod. 12. 34
[d] C. 557 c. 3
[e] C. 15 q. 1 c. 6; C. 22 q. 5 c. 8; Dig. 3. 5; Dig. 17. 1
[f] Dig. 33. 9; C. 22 q. 2 c. 22; Dig. 49. 16
[g] Cod. 1. 2
[h] Dig. 49. 16

[20] In the text there is a gap where I have written the word 'the'

to correct trespacys & offencys, To here Sowdiars complayntes & to determe them discretely. Off All these mention ys had in the cyuyll lawe. Also, where as eny Fresche water or streme ys nere, he schall prouyde that no sowdiar pollute or fyle hyt wythe wasschyng there horsys soores or swete, Las hyt myght be preiudice & hurt to mens yes; but he schall order them for soche vsys some other lower & Inferior parte of the streme a far off[a].

A captayne scholde see Also that hys men be continent & chaste. As the noble Author valerius maximus reheresyth; Sayyng how cornelius scypro, sent vnto Spayne from the romannes to wayge batell wyth them, when he had enterd hys tente, he made a proclamation, onder payne off dethe, that All suche thynges whyche cowlde be fownde in the hooste to be occasion off voluptuowse pleasure off the flesche scholde be [**fo 31r**] convayde Away. Whereapon hyt ys sayde that At that tyme war dryven owte off the hooste a bowte ij m[e] comen harlottes. For thys sage & prudent captayne know well ynowghe y[t] Fullffyllyng of carnall lustes dyd feble & weken mens corage & strengthe. Wherfore Vegetius spekyng off the continence of kyng Alexander saythe that at the gettyng off a certen cyte, when a mervelowse goodly vyrgyn was browght vnto hym, that was desponsate & betrowthyd a fore to a certen prynce, he refrayned hym selffe wyth very great abstinence From her, so that he wolde not looke on her but send her forthewyth to her spowse & loue a gayne. By the sendyng off the whych mayde, he reconcylyd to hym all the peoples goode myndes & gott ther hartes For euer[b].

Forthermore hyt longgyth to a captaynes offyce to knowe off the fawtes & bargens that sowdeiars make, whych perteyned After the cyuyll lawe to a speciall offycers dewte, callyd mayster off the aremy[c]. But now All thynges perteyne to the constables offyce or marschall [**fo 31v**] off the realme or hooste, but hyt ys by commyssion, for ther powre ys commyttyd vnto them by the graunte captayne off the bateyle[d]. Here at thys tyme, bycause I wolde not be tediowse, I lett passe to speke off the most Ryghtyowse & Iuste statutes, that the moste excellent & victoriowse kyng henry the v[th] made in hys warres, whyche at the requeste of my good lorde the yerle of Salysbery, I translatyd owte off laten in to englysche.

Now hyt ys necessary to retorne to the declaration of nobilite I schewde A fore In the diffinition off the same: that nobilite Was a qualite geven by hym that hathe a prynces powre, by the whych one ys promotyd Above other mene people, or of the commens. I say other off the comenalte bycause, off them some be honest & some be callyd vyle & thowghe the honest men be better acceptyd than the vyle personnes, yet for all that they be not noble, For

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[a] Cod. 12. 36
[b] Vegetius, De re militari, 2
[c] Cod. 3. 13; Cod. 12. 36
[d] Instit. 1. 2; Dig. 1. 2

hyt ys requyryd y^t^ he whych ys noble be acceptyd above All the commens, be they neuer so honest[a]. Off thys matter mayster Bartholl treatyth largely ynowghe[b].

Moreouer hyt ys sayde in the diffinition he muste be acceptyd. For thys cause I sayde soo, For hyt consystyth [**fo 32r**] In hys superyors plesure to accept hym, as I haue declaryd Affore. And off thys acceptation hyt ys evident, For soche pryncys & lordes that so nobilitatyth ther Subiectes Ar wonte to assygne them a certen fee, whyche ys namyd or callyd A leege Fee.

The xvij^th^ chapter

Off A leege fee

Off thys leege fee ys mentyon made in A certen chapter off the clementynes, wher As poope clement the V^th^, goyng A bowte to pacyfy a certen contrauersy bytwene henry, than emperowre off Rome & one Robert kyng off cicile, allegyth that the sayde kyng was subiect to the see off Rome, being as hys lyege man & vassall[c]. Also off thys fee ys treatyt in certen extraordinary chapters whych be not In corporate in the lawe. Notwythstondyng, A certen doctor callyd Iacobus de ardisone schewyth largely off hytt. The maner of ynglonde was whan the kyng Nobilitatyd eny personne, To geve hym a certen baage or lyuery wyth hys Fee; whyche lyuery was a collar wyth letters of 'S' made off golde or syluer. And the frenche kyng [**fo 32v**] Was wonte to geue to hys feed men for hys bage or conisance a collar off the hulkys of broome made of golde & syluer. The kyng of cypres was wonte to geve For hys a golden sworde or A syluer. The kyng of Romans to hys feed men A serpent off golde or syluer, wythe A Floryschyng crosse Rysyng owte off the backe of hytt. The kyng of scottes a bage off horse brydells of golde or syluer, & soo lyke off other pryncys. But meny tymes ther ys moche dowte made of soche conisantes and baages[d]. And for bycause All dependyth a pon some tytle, lett vs fyrst dyscusse what maner a thyng a tytle ys.

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[a] Cod. 12. 1
[b] Comment. on Dig. 33. 10
[c] Liber Feudorum
[d] Jacobus de Ardison, Summa sive Epitome Juris Feudorum, de Feudo ligio

A tytle may be taken dyuers wayes. Sometyme hyt betokenyth a mark or sygne that ys set apon a schelde or bannar, as ys notyd in certen placys of the lawe[a].

Secondarily a tytle ys taken for soche euidence as a man can schew to gett the dominion or lordschyp off eny thyng, as hyt ys sayde in prescription how hyt reqwyryth a good feythe & iust tytle[b].

Thyrdly A tytle ys taken For the chyrche, as off Saynt peter [**fo 33r**] or[21] Saynt John. Off the ij later we schall not speke here, but off the fyrst, when hyt ys taken For ther aremes in scheldes or banners, hyt ys to be knowne that soche a tytle[22] or marke ys callyd that thyng that schewyth hymselfe owtewarde to the syght, & betokenyth a nother thyng in ones vnderstondyng. As when A kyng, prynce or other noble man be aremyd in the felde, he ys not knowne but by some coote schelde or banner paynted or deuysyd wyth some speciall sygne or token From others.

And so when he hathe thys marke A pon hys coote, schelde or standard, than he schewyth hymselfe to the syght of the people; but hyt representyth a nother thyng to ones vnderstondyng, that ys to say, that the persone so aremyd schold not els be dyscernyd from other. Neuerthelas some tyme a mark or sygne ys put apon certen persones to ther great schame & rebuke for some grete offence they haue doone, but off thys mater I entende not to treate, nor off All chrysten pryncys aremes bycause they be knowen sufficiently ynowghe[c]. These maters I schall leue to heraldes off aremes, For whome hyt ys [**fo 33v**] Necessary to know soche thynges.

Howbeyt hyt ys to be notyd, these bages or conisantes that kynges geue ther Feed men, be not ther owne bages or aremes, but onely as certen markes & sygnes wherby there feedmen & vassalls may be knowne frome other. Off these maters restyth A questyon: whyther a person nobilitate by A prynce by the reason of a Fee & so beyng hys vassall, beryng hys baege & conysance may receve A Fee of a nother prynce, & soo be as lyegeman to bothe. Yff yow wold holde he may be lyege man to bothe. I wolde aske off what effect scholde hys homage be, whyche he ys bownde to doo to dyuers lordes.

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[a] C. 16 q. 5 c. 1
[b] X 2. 26. 27
[c] X 5. 20. 1

[21] In the text there is a gap where I have written 'or'
[22] In the text 'atytle'

Secondaryly yf a man, for a certen fee, promys hys homage & makyth an othe to be a lordes lyegeman, whyther other of hys patrimony or londes that be free from eny soche homage, be bownde to hys sayd lyege lorde in eny case or no. And yf they be bownde Wheryn be they bownde, & for how moche.

For the declaration off these qwestions I [**fo 34r**] Take For me a Text in the lawe wheryn I fynde thys case: A man hathe receuyd a certyn lyege fee of some lorde, Wherby he owyth hym Fidelite & homage ayenst all other. He dyes, leuyng ij of hys soones hys heyres. Thys Fee comyth vnto hys eldyst sone fyrst, wherby he ys bownde to doo lyke homage to hys lorde as hys Father was. Hys yonger brother hathe got some fee Afterwarde of some other lorde. Hyt chauncythe afterwarde thys brother ys next heyre. Wyth whome schall thys Fee remayne? Schall the lorde enioye hyt ageyne, or thys yonger brother? Hyt ys to be thowght, seyng A man cannot doo hys homage Feythfully to ij dyuers lordes, that hyt scholde retorne to hys lorde agayne, but for all that hyt ys concludyd y^{t} the fee whych he had by the other lorde scholde not let hym to enioye thys Fee, for in thys case he schall be excusyd to doo homage to y^{e} fyrst lorde by some substytute[a]. [**fo 34v**]

The xviijth chapter

What A fee, a lyege, an homage, & fidelite ys

Hyt apperyth by the premissis what ys a lyege fee. For a lege fee ys that for the whych the vassalle, beyng ones possessyd in hyt owyth fidelite to hys lorde ayenst All other men, & thys ys for a declaration to schew what thyng hyt ys. But yff one wolde enqwyre the diffinition off hytt, hyt may be answerd that A lyege Fee or a lygeite ys a principall fidelite or chefe homage ayenst all other (no man[23] exempte). Now yf one wolde Aske what thyng an homage scholde bee, hyt ys no more but an othe geven off fidelite for a fee receuyd[b].

Notwythstondyng ther ys a dyfference bytwene an homage & fidelite, for the homage ys the act or dede hyt selfe in makyng hys othe wyth hys solempnite, as hyt ys At the fyrst begynnyng when he recevith hys fee. But a fidelite ys as the bonde whych ys permanent & contynewyng wyth hym all thys season that he enioyth the Fee, as in an exameple when men make a bargen in byyng & sellyng off eny thyng. The prolation of the wordes [**fo 35r**] Whych ys the substance of the bargen be soone passyde, but yet the bargen hytselfe

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[a] Jacobus de Ardison, Summa sive Epitome Juris Feudorum, sique investitum
[b] X 5. 21

[23] In the text 'noman'

continewyth styll As the doyng off eny thyng durythe not longe, but after hyt ys ones doone, that same dede remaynyth styll[a].

Wherfore hyt apperyth by thys forsaydes what ys an homage & what ys A fidelite. Howbeyt, as tochyng A Fidelite, hyt may be taken ij maner of ways. Some ys a superior & some inferior: for A lyege Fee consystyth in a superior fidelite, as to the pope, to the emperowre, to a kyng or prynce that knowlegyth no superior in hys londe. And her ys to be vnderstonde that euery soche Fee whych ys recevyd off a prynce, thowghe hyt be not expressyd For A lyege fee, yet hyt ys so vnderstond As when one makyth hys othe to a prynce off fidelite, hyt ys of the nature of the pryncys authorite that no other personne scholde be exempte, And specially when A kyng grawntyth these regalyes whyche be soche thynges as perteyne to the state of hys Iurisdiction; As tributes, toll mercementes, forfettes & soche other kynges [**fo 35v**] Fees. Also dukedomes, Marchases, yerledomes & soche dignitees[b]. For the nature of the thyng ys more regardyd than the bare wordes, as by exameple: yff a man scholde receve a Fee of a vassall & make an othe of Fidelite to doo hym homage Ayenst All other[c], for All these wordes that he makythe yet thys ys not a lyege fee, For a lyege fee bynedith one ayenst all men, but thys man cannot soo be bownde, For hys prynce ys exempt[d]. And so he Sweryth an othe Impossyble whych can bynde no man.

Forthermore In euery soche othe made, where as he byndyth hymselfe by hys wordes ayenst All men, hys kyng & prynceys except els the othe scholde be onlawfull, and so, after Some consideration, he that makyth for recevyng off A Fee, soche an othe to be feythfull to hys lorde Ayenst All men, hyt may be counetyd as a lyege Fee when the prynce ys exempte. But yff he be not hyt ys no lyege fee. And so after one respect a thyng maybe trew & after a nother false, as in the lender of eny goodes & the detter: After one respect he ys owener off [**fo 36r**] the goodes that lendyth them, for he must haue as moche A geyne; After a nother respect he ys owner that ys the detter, For he ys In possession & may vse them at hys owen wyll. Wherfore some way hyt ys trewe he ys owner, some way hyt ys not. Hytt ys trew that the lender ys owner, for he hathe tytle to calenge as moche as that off lyke goodnes & valowre. And hyt ys false A nother way that he ys owner for he ys not in possession off the same, but the detter ys possessor, nor the detter ys not bownde to restore the same but other as goode[e]. So lykewyse in an othe that ys made to a lorde for a Fee, one way hyt may be cowntyd a lyege fee, that ys to say when hys superior or prynce ys except, soo that ageynste

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[a] Dig. 1. 1; Cod. 4. 10; Dig. 13. 6; Dig. 49. 15
[b] Lib. Feud. 1. 7; Lib. Feud. 2. 55
[c] Lib. Feud. 2. 55
[d] Lib. Feud. 2. 55
[e] Dig. 43. 17; Cod. 7. 32

All other men except the prynce, he owthe fidelite to hys lorde. But yff in the othe makyng he dyd nott except the prynce or vnderstonde hym exceptyd, hyt can be no lawfull othe nor homage.

And brevely to vnderstonde what longyth to hym whych makyth [**fo 36v**] An othe of Allegyence, hyt ys to be knowne he muste obserue vj poyntes whych be conteynyd In the lawe. *Incolume*, *tutum*, *honestum*, *vtile*, *facile*, *possibile*. He schall Swere for helth, surenes, honeste, proffit, esynes, & possibilite[a].

(helth) that ys to say he schall doo no bodly hurt to hys lorde. (Surenes) that he schall not hurt hym in eny of hys secrettes or In hys holdes For hys savegarde & defence. (honeste) that ys to say he schall not hurt hym in cause of Iustice of hys or eny other perteynyng to hys honeste. (profytt) he schall not hurt hym in eny of hys possessions. (esynes or possibilite) that ys to say he schall not fynde the meanes to make that harde & Impossible For hys lorde to bryng to passe whych Afore was esy & possible ynowghe for hym to doo.

Where apon hyt folowyth that honeste & possibilite ys vnderstonde In euery othe. The sayde othe makyth Archbyschoppes to owre holy father the Pope & the emperowre lykewyse[b], that ys to say In thys vj he schall ayde the pope ayenst All other, [**fo 37r**] hys owne cause, hys cowntrey, & hys fathers & mothers cause except[c]. Thes vj pointes be canonisyd Also In A certen decree[d]. By these premissis hyt Apperythe sufficiently what thyng an Allegense ys, as by the kynde off An obligation hyt ys soone perceyvyd what ys the bargen & the contract[e]. Therfore I conclude for the declaration of the fyrst poynte, that Allegense ys no other than homage geven to one A yenst All other men. But here peraventure yow wol ask how may an homage be done to a kyng that ys subiect to the Emperowre. Hereto I Answer as I sayd a fore. That where as ys soche Superiorite The generall wordes extendyth not therto but ys referryd to all other besyde, As in gevyng to hys lorde an othe off fidelite

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[a] C. 22 c. 5; Lib. Feud. 2. 6; C. 11 c. 3
[b] Lib. Feud. 2. 6; D. 23 c. 6
[c] Dig. 11. 7
[d] C. 22 q. 5 c. 18
[e] Dig. 19. 15

ayenst all other men. In these generall wordys All other men, The prynce or kyng off the Realme ys not includyd, but All other besyde hym[a].

Now I come to the second poynte, wherein hyt may be askyd, what ys includyd or [**fo 37v**] notyfyed by a lyege Fee more than eny other Fees. And hyt ys to be consyderde that A lyege fee ys of A greter homage than other fees, For A lyege fee owythe fidelite ayenst All men for he of whome hyt ys recevyd hathe no superior In hys realme[b]. And they that receve them be promotid by them to hye dignitees, as dukedomes, Marchases, yerledomes[c]. Also A lyege vassall, yf hyt be hys chaunce to have some other Fee of eny prynce, After, yff hys ij lordes be at stryfe to gyther he ys bownde to ayde hys Fyrst lorde A fore the seconde; but A lyege vassall cannott haue ij dyuers lordes but by the reason of succession as I schewde a fore, & therin he ys dyfferent from other vassalls[d]. Forthermore he ys bownde to help hys lorde A yenst hys brother & hys owne sone & ayeynst All other, except he haue An elder lorde to whome he owythe hys homage, As I schewde A fore For he ys Always to be preferryd.

Howbeyt dinus, a certen doctor of the lawe, ys thowght to say otherwyse, [**fo 38r**] Where as he saythe he that ys bonde man to ij dyuers lordes, yff he see them bothe In ieopardy he may chose whome he woll help fyrst[e]. But hyt may be answerde to thys that, in the lordes off the bonde man was no priorite of tyme bytwene, they war be come lordes At one tyme; & soo ys hyt not vnderstonde in the lordes of the vassall for the one ys taken ferr elder in tyme then the other. And so wher as ys priorite he schall be compellyd to the one be afore the other, or els hit schall lye In hys owne choyse.

Now than I put thys case: wyllyam hathe in fee of the marqwes of Saynt Stevenes The castell of the same, & of the yerele off baldwyne The castell of baldwyne. There ys warr movyd by the marqwes ayenst thys yerle. Whyther ys thys wyllyam bownde to helpe? Onely the elder off these ij lordes hyt may be answeryd to thys; As I sayd afore, wher as ys priorite than he ys bownde in hys owne person to ayde the more Auncient, being presently wythe hym hys owne selfe[f]. For [**fo 38v**] hys owne person ys more honorable & acceptable a grett[24] dele than when he sendyth a substitute, bycause in A substitute cannot soo clerely the aremes

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[a] Cod. 9. 8
[b] Lib. Feud.; Lib. Feud. 2. 2; Lib. Feud. 2. 33; Lib. Feud. 2. 45; Lib. Feud. 2. 24; C. 2 q. 1 c. 5; Lib. Feud. 2. 55
[c] Lib. Feud. 2. 46; Lib. Feud. 2. 34
[d] D. 2. 28; Cod. 8. 17; Lib. Feud. 28
[e] Comment. on 29. 5
[f] Dig. 5. 1; Dig. 20. 4

[24] In the text 'agrett'

& tokens of hys nobilite geven by hys lorde. And besyde that, in the pryncipall personnes ther ys wonte to be fownde more diligence & more prouable experience wherby they myght ayde there lorde bothe in ther strength of body & In ther saage cowncell[a]. And meny tymes we see that A thyng cannot so well be done by a nother person, as by a manys owne selffe. Nor (thowghe hyt myght be) yet hyt ys not so well acceptyd. For by the lawe, yf A man be bownde to doo A thyng at a certen tyme, yff he doo hyt at a nother, thowghe hyt be doone by hys owne selfe effectually ynowghe, yet hyt representyth not the dede he ys bownde to, So that hyt scholde discharge hym of hys bonde; Moche more than a man ys not discharegyd to doo hyt by a nother persone[b]. Neuerthelas yf he be in soche necessite that he cannot comme hymselfe, but sende A substitute, Then he owght to sende the moste noblest he can, & thys ys vnderstonde [**fo 39r**] by the lawe[c].

Howbeit Now the custome herein that ys moste comenly vsyd must be folowde. Hyt ys to be vnderstonde Also that in A lyege Fee A man cannot be bownde to ij lordes, for he ys bownde so to serue the fyrst that in no wyse[25] he may serue hys Aduersary, the second lorde[d]. Wherfore seyng he can doo hym no seruyce, he muste nedis forsake the fee he had of hym; For hyt ys vnresonable A man scholde enioy A benefyte & can doo no seruyce for hyt. And thys he may impute to none but hys owne selfe, whyche by A lyege othe bownde hymselfe to soche perplexite. Moreouer yff he wolde sende A substitute hys lorde owght not to accept or Admitt soche a one, for than he scholde be causer that hys vassall scholde be periurid, for he was bownde by hys othe to serue hym personally hys owne selfe And never to be excusyd by a substitute[e].

But hyt be in soche A case As I schewde A fore, by succession whych case chauncyth onwares vnto hym & not by hys owne [**fo 39v**] sekyng. Forthermore A man may take fees of dyuers persones At one tyme, they bothe consentyng vnto hyt & than there powres & causes be equall, for eche of them hathe lyke authorite In the vassall. But for all that hyt ys at hys lyberte whome he woll serue in hys owne persone & yff he chose one he must serue the other by a substitute[f]. & yet he schall not be in so doyng contrary to hym selfe, for he dothe by the nature of lawfull contract whych was the consent of thes dyuers lordes & therfore for to save hys ryght he may serue the one by a substitute & the other in hys owne persone[g].

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[a] Cod. 6. 51; Dig. 46. 3
[b] Dig. 12. 6; Dig. 45. 2; Dig. 43. 16
[c] Lib. Feud. 2. 1
[d] Lib. Feud. 2. 21
[e] Dig. 46. 3
[f] Dig. 13. 7
[g] Dig. 43. 16; Dig. 13. 6; Dig. 11. 7; Cod. 6. 51; Dig. 1. 4

[25] In the text 'nowyse'

There ys a doctor callyd Speculator whych treatyth off the nature off Fees & he saythe A lyege homage ys geven onely to an emperowre or A kyng[a], wherfore Soche homage as ys gevyn to eny other ys not cownetyd As a lyege homage bycause in soche ys ever vnderstonde the dewe fidelite to ther kyng or Emperoure except[b], whyche ys Also obseruyd In ynglonde, for when so euer eny swere & make soche homage, the fidelite [**fo 40r**] owght to the kyng ys alway except[c]. Notwythestondyng meny thynkythe hyt ys a lyege homage what tyme a man puttyth bothe hys hondes yoynyd to gyther bytwene hys lordes hondes & so makyth an homage by promysyng hys fidelite & than to kysse to gyther, but yet thys ys no lyege fee. The forme & maner of ther othe ys thys: *From thys day forwarde I become youre man, & promys my fidelite to yow, My lorde, my fidelite dewe to my lyege the kyng Alway savyng*, whyche exception ys neuer made In A lyege homage. For soche an homage one may make to the seconde lorde, Sauyng the fidelite to the fyrst & to the thryd, savyng fidelite to the fyrst & seconde, & so forthe to dyuerse other yf nede war. For the fyrst ys lawfull & the seconde muste be obseruyd, but soche an homage for Spirituall benefites cannot be made[d]. Also a lorde that geuyth soche a Fee may commaunde hys vassall to doo a thyng by the dewtye off hys fidelite, as a prelate dothe inioyne by the deante off obedience[e].

Some men say Also that there ys ij maner of homagys: one that ys lyege, in the whyche expressly by the wordes no man ys except, but by the mynde Intellectually he that hathe the moste [**fo 40v**] princypall & generall Iurisdiction, As the Emperowre or kyng, ayenst whome none ys bownde to help hys lorde. Ther ys a nother that ys not lyege as when one makythe homage exceptyng eny person expressly as I schewde A fore[f].

A lyege man ys callyd soo bycause he ys as lygate, that ys to say bownde to hys lorde of a legalite, bycause In hym ys conteynyd a certen lawe that he must obserue. That whyche we call In ytaly & other placys A vassallage ys callyd In ynglonde & fraunce an homage. Other doctors ther be that speke of thys same but onder lyke maner, As I schewde A fore[g].

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[a] Comment. on Lib. Feud.
[b] Lib. Feud. 2. 55
[c] X 2. 24. 16
[d] Dig. 50. 17; Cod. 7. 52; John Andrews Comment. on X
[e] X 5. 40. 10
[f] X 2. 24. 16
[g] John de Blanosco, Super titulum de actionibus in Institutis

Wherfore to conclude, A lyege homage ys of gretter bondage than eny other, For he ys bownde Ayenst All men except god & hys kyng to defende hys lorde.

But Now lett vs see whyther ther be eny difference bytwene A lyege homage & other As concernyng other particles folowyng. The customes & vses of fees be, that A vassall may geve vp hys Fee & let hyt retorne to hys lorde ageyne. Wherfore hyt may be dowtyd whyther hyt maybe lykewyse vsyd In A lyege Fee. For the vnderstondyng [**fo 41r**] off thys questyon, hyt ys to be consyderd that some contractes or bargens haue speciall names Assygned vnto them, & some hathe none proper names. They that have specyall names, After the mynde of doctors of the lawe & as hyt apperythe Also in meny placys of the lawe, After the contract or bargen ys ones fynyschyd & made, there ys no place of repentance, but yf bothe partyes be a grede. In other contractes that be innominate eny off the paretyes may repente. A bowte thys matter ther ys so moche bysynes wythe multiplicite of distinctions & intrications amongyst doctors, that hyt ys not possible to induce All ther reasones well In owre vulgar & mother tonge[a]. Therfore to let them passe, & brevely to schew whyther one may renownnce & geve vp hys Fee whyche he hathe receuyd, or not, A distinction ys to be made After thys maner: other A Fee ys grauntyd vnder A condition or of an intent that certen seruyce or homage must be done for hyt, & than ther ys no place of repentance, bycause of the state of the obligation ys certen & therfore Afterwarde hyt [**fo 41v**] cannot be chayngyd; or els hyt ys grawntyd clerely wythowte eny mention of soche seruyce & than hyt ys secretly vnderstonde in the contract that hyt maybe geven vp & left, & throwghe thys secrete condition whyche ys vnderstonde at gevyng off fees Ther haue bene customes & vsys inducyd to renownce & geve them vp when the lyst[b].

But now ther remaynyth to knowe by what tytle a man may reteyne & kepe hys Fee. Hyt ys answerd herto that by tytle of possession, for lykewyse as in an heyre made or in A tutor to a pupyll, Ther ys fyrst an Institution that ys to say a namyng of the person by wordes, Than a confirmation of hyt by some authorite, & than A reall execution, by puttyng In possession. So lykewyse ys ther in a Fee; fyrst hyt ys grauntyd, Afterwarde confermyd, & then At last enterd A pon by takyng possession. Throwghe the whyche tytle hyt ys kept & retaynyd[c].

As consernyng a lyege fee, whyche I spoke of before, The vassall whych hathe hyt cannot geve hyt vp, or leve hyt at hys pleasure, [**fo 42r**] bycause he ys An Inferior & receuyth hyt of a kyng or prynce that he hathe no superior, wherfor he cannot brekethe lawe

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[a] Blount is referring to a lengthy legal discussion which he did not translate, which is in Bysshe's edition, ps 45 - 47. Look Appendix B.

[b] Dig. 45. 1; Lib. Feud. 2. 38 & 51; Dig. 7. 9; Dig. 20. 3

[c] Dinus Comment. on Liber Sextus; Cod. 6. 23; Cod. 5. 29; Dig. 26. 3; Cod. 5. 51; Lib. Feud. 2. 2

off hys prynce, & so heryn ys a nother difference bytwene A lyege fee & other[a]. But yf hyt be so that hys lorde be excominicate, As longe as the excomunication duryth, so long the vassall ys fre & clere of hys bonde of fidelite[b].

Now ensuyth a nother poynte as towchyng a lyege Fee, whyther hys goodes, Throwghe hys othe made, be at hys pryncys pleasure or noo? Hyt ys to be sayde they be free as goodes gotten in warres be, for as concernyng Creditors to whom he ys indettyd, yff he have not sufficient to pay the goodes, hyt schalbe diuidid amonge them, soo that hys prynce hathe no tytle to them by the reason off hys fee. Wherfore A lyege fee & not lyege fee differryth herein for he that hathe the lyege Fee, hys goodes be At hys owne liberte to bestowe them As he lyst, so that he make no wyll of that goodes whych concernyth the fee & be perteynyng to the same[c]. But yf the Fee be frank, he may dispose hyt In hys testament to the chyrche, savyng the propriete & dewe seruyce of hyt to the lorde, As he wolde doo amonge hys chyldren[d]. Of thys matter ys laregely tretyd by Bartholl, dinus [**fo 42v**] & cynus, iij doctors of the lawe, In dyuers places[e].

Some say hyt war Ageynst the nature of A fee that the chyrche scholde succede in hyt, bycause they that enter Religion leese ther fees they had A fore, & causyth not ther monastery to enioy hyt or gett hyt by ther enteryng[f]. But that must be vnderstonde when hyt ys soche a fee that a man cannot serue hyt by A substitute[g]. Neuertheles I deny not but for slaknes & longe delayng off dooyng hys homage & seruyce, or for misorderyng of the same, yff ther lye eny penalte A pon the same, The lorde may strayne apon certen of the goodes, As eny other creditor may doo[h]. But now finally to conclude: Euery soche person whyche hathe no superior above hym in hys realme may receve A lyege othe, & to soche hyt may be geven, & to non eels. A question ys mouyd here: A vassall hathe done offence wherby hys goodes be forfett, whyther schall the ryght of hys fee be forfet or no? Some doctors holde parte affirmatyfe[i], some negatyfe[j]. Notwythstondyng hyt ys concludyd That the vassall schall lese hyt, So that other hyt schall retorne to hys lorde A geyne, or to some off hys herys male, for hyt schall nott be Forfett lyke the other goodes[k]. [**fo 43r**] Moche more processe ys made of

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[a] Cod. 5. 16; Dig. 39. 4; Cod. 6. 37; X 2. 14. 9
[b] John Andrews
[c] Cod. 6. 21; Dig. 15. 1; Dig. 4. 4; Dig. 8. 3
[d] Instit. 1. 3; Lib. Feud. 2. 54; X 2. 22. 6
[e] Lib. Feud. 1. 13; Dig. 45. 1
[f] Lib. Feud. 2. 21
[g] Dig. 20. 1; X 2. 19. 8; Cod. 1. 2
[h] Cod. 1. 2; Dig. 24. 3
[i] Cod. 4. 61; Dig. 39. 2
[j] Lib. Feud. 2. 31; Cod. 8. 4
[k] Lib. Feud. 2. 26; Lib. Feud. 2. 55

thys but here I haue towchyd the principall effect & conclusyon & therfore I let the other passe[a].

We haue sene hyther to what ys A Fee, how hyt ys gotten, & how hyt ys retaynyd & kepte styll. Let vs see now whyther a Fee may be alienate or noo, that ys to say solde or geven A way? Hyt ys answerde hereto that nother the Fee, nother the leste parte off hyt can be alienate wythowte the consent off the lorde. And yff so be hyt ware done wythowte hys consent, As moche As was alienat schall retorne to the lorde Agayne, no proscription wythstondyng As Aperythe in A constitution of frederyk The Emperowre, And Also by Hostience[b].

But now, Forther more, whyther A Fee may be geven in Ioynter; There ys A distinction to be made. Other The fee ys Temporall & for A season, & than hyt may be geven in A dowre, As longe As the vassall lyuythe & no lenger, but yff the lorde consent therto. Or els hyt ys perpetuall to hym & hys heyres, & soche A one maybe graunte In ioynter[c], & Also disposyd for a mortuary[d].

[**fo 43v**] Other doctors holde lykewyse hyt may be geven for A dowre, howbeyt Bernardus holdyth the contrary, & Speculator Also treatyng on the nature off Fees. But Henry bowwyk Answeryth herto sayeng That hyt ys trewer way to holde that A fee cannot be geven for A dowre but yff the vassall geve hyt to hys owne wyffe After soche wyse That he hymselfe may receve hyt A geyne, for than he ys not thought to Alienate hyt properly, but that hyt scholde schortly retorne to hym A geyne[e].

There ys a question Also, whyther that A Vassall may geve hys Fee in Fee or noo, whythowte the consent off hys lorde? Hyt yss answerde herto by henry bowwyk, bothe by the olde lawe & the newe: A vassall ys sofferde to geve hyt A nother man In Fee So that he doo hyt off a goode mynde & feythe wythowte crafte or coloure to alienat hyt From hys lorde, & so to sell hyt to gett money For hytt. And when he gevyth hyt he Muste geue hyt to one that ys off Eqwall degre wyth hym, vnder that condition & law As he helde the [**fo 44r**] Fee hys owne selfe & no other way[f]. Hyt ys to be notyd Also yff the vassall make fidelite for hys fee to eny other man than the trew lorde he forfetyth hys fee, for he dothe As moche as lyethe in hym to alienat hyt[g].

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[a] Blount cut out examples which are in Bysshe's edition, ps 49 - 53
[b] Lib. Feud. 2. 55; Hostiensis, de feud.
[c] X 4. 20. 6
[d] Hostiensis
[e] Lib. Feud. 2. 9; Speculator, de feudis, v. 38
[f] Lib. Feud. rubric 2. 9; Lib. Feud. 2. 3; Lib. Feud. 2. 3; Lib. Feud. 2. 55; Lib. Feud. 1. 4; Lib. Feud. 2. 34
[g] Lib. Feud. 2. 55

Sometyme hyt chauncyth one makyth fidelite to ij lordes the gretter & the Inferior for the same fee. To the inferior he makyth wythe thys protestation, savyng the ryght Alwayse of the gretter man. Thys ys treatyd by hostience & Iohn Andrewe A pon a chapter off the canon lawe[a]. Off these premissis folowyth, yff a vassall may geve hys Fee to a nother In Fee, That then he may, wytheowte hys lordes consent renownce hys Fee. To thys hyt may be sayde, yff he geve hyt vp In to hys lordes hondes, he may doo hyt well ynowghe & ys bownde from thens forthe to doo hym no lenger servyce, So that he renownce hyt not in an inconvenient tyme[b]. But Henry bowwyk onderstondith the opinions of thes doctors to be trewe In soche a vassall whyche ys bownde to homage but hyt ys [**fo 44v**] not specifyed what homage he scholde doo; And in hym that ys bownde to A certen homage by name, As he saythe, that vassall cannot, wythowte hys lordes wyll, renownce hys fee by the reason off the obligation, whyche ys contract Specially by bothe paretyes, whych ys a stronger bonde far than a generall obligation[c].

We haue treatyd in owre processe here A fore whyther A vassall may translate hys Fee to a nother wythowte hys lordys wyll or not. And fyrst by thys reason hyt semyth he may doo hytt. A creditor May geve hys action that he hathe ayenst hys detter to eny person whom he lyst & that Ayenst hys detters wyll[d]. And ageyne hyt ys a rewle off the lawe that saythe, Nothyng ys so naturall & resonable As the wyll of the lorde & owner to be ratifiede, wyllyng to Translate hys goode from hymselfe to an other. Wherfore hyt scholde appere That hyt scholde be lykewyse lawfull for the vassall to doo wyth hys. Azo, An interpreter of the law, whych movyth thys question, [**fo 45r**] deteremyth that lykewyse, As A vassall cannot alienat hys Fee Ayenst hys loredes wyll, but In soo doyng he lese hys ryght therin, acordyng to the mynde of Innocence & Iohn Andrew, As was schewde afore, So in lyke maner, The lorde cannot alienat hyt ayenst the vassals mynde. For in a contract made one thyng cannot be lawfull to the one paretye, but hyt schallbe lawffull to the other & econtrary. Thys ys determination off Azo[e].

Neuerthelas The newer doctors make A distinction onder thys maner: Other the lorde woll translate hys vassall from hym To a gretter lorde, & than he may, for he makyth the condition of hys vassall better therby, As the lawe testifyethe, sayng the gretter Iuge the people ys orderde by The more ys ther suerte & Avauntage. & therfore seyng hyt scholde Avayle the vassall, he ys constraynyd to consent therto. Or els the lorde woll translate the fee

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[a] Hostiensis & John Andrews X 2. 24
[b] Lib. Feud. 2. 38; Bernardus Compostelam, Summa; Guido de Basco, conc. arch.; Clement uel Extr.
[c] Comment. on X 3. 5; Dig. 20. 1; Cod. 11. 49; Lib. Feud.
[d] Cod. 8. 53
[e] Comment. on Cod. 7. 51; Lib. Feud. 2. 55

& vassall to gether to an Inferior lorde: and in y^is^ case he cannot, bycause the condition off hys vassall he makyth the worse therby. But as tochyng thys matter a nother doctor callyd petrus de bello pertico holdyth that the lorde cannot Translate hys vassals Fee to a gretter [**fo 45v**] lorde ayenste hys vassals wyll, no more than the father can translate hys sonys ryght A yenst hys wyll[a]. Thys same holdyth Also hostiensis & speculator, whyche we owghte to obserue by the lawe[b]. Also howbehyt in the Realmes off ynglonde & Fraunce The custome ys contrary[c]. For thermore As concernyng thys question, whyther A man may beqwethe hys Fee For hys sowle, the decision off hyt ys remyttyd to hostiense tretyng apon thys mater in a certen summary off hys[d]. And yff ther be dyuerse customes off fees fownde In dyuers placys, Then the nature & cause off the Fee schalbe determyd After customes off the regyons dyuersly, Savyng allway the emperoures lawes whyche be conteynyd in the boke off constitution off Fees. Yff the custome Fayle of Eny Regyon, we must haue A recowrse to the customes of other regions, And yff they fayle to, than we muste vse the constitution or lawe wrytten ordenyd For the same[e].

By these premissis yow may conclude to diffyne what A Fee ys. Wherfore yow may saye a fee ys A benefite whyche, off the benivolence of a persone, ys geven to eny man vnder thys maner, that the lorde [**fo 46r**] Enioye the propriere off hyt & the avayntage of the vse to remayne wythe hym to whome hyt ys geven, so that hyt schall perteyne to hys heyres male for euer, or els to the female yff mention war made In the contract A fore of them by name, he & hys heyres doyng fethffully ther seruyce to the lorde, whyther the servyce be namely specifyed what maner of service hyt scholde be, or whyther the seruyce was promisyd generally. Thys diffinition ys made by A constitution off frederik the Emperowre.

Now that we haue by these forsayde what ys a lyege fee & what ys not, & what longyth to homage & fidelite therof; whyche dependith All a pon nobilite, I schall retorne to the residew of the diffinion off Nobilite a fore schewde to declare certen particles off hyt, that be lefte as yet ondiscussid. Hyt was sayde, moreouer, In the diffinition off nobilite, that A man therby scholde be Acceptyd. By thys worde Acceptyd resythe A dowte, for hyt ys sene meny tymes that in soche cytees as be orderde & gyedyd by the voyce of the comen people, They whych be noble men be les acceptyd bothe as concernyng ponyschmentes [**fo 46v**] As towchyng ther offensys, For they scholde be gretlyer ponyschyd then lower

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[a] Comment. on Dig. 1. 7
[b] Comment. on X 3. 49; Speculator, summa confessorum 15. 71
[c] Henry Bouick, Extr. de feudis
[d] Comment. on X 3. 49
[e] Hostiensis, Summa; Lib. Feud. 2. 55

persones, And Also Noble men schal be soner excludyd from soche offyces & commodites As be A monge the cytisynnes than other Inferiors[a].

Wherefore hyt dothe Appere thys diffinition agreythe Not whyth them, seyng they be les Acceptyd than Other. To thys hyt may be Answerid that thowghe A noble manys ponyschment be great sometyme than Other Inferiors, As in pecuniary causys, where As One schalbe ponischyd by the purse, the gretter man for hys trespace schall paye the gretter some, yet thys provyth not he scholde be les acceptid for hys Nobilite.

For thys nobilite was geven hym fyrste For hys preeminence off vertew & goodnes Above other, wher by he was acceptyd of hys prynce & so promotyd to honowre. Wherfore yff he trespace hyt ys acoredyng, bycause hys dignite ys great, That hys fawte scholde be cownetyd gretter, & he the more to be ponyschede. Therfore, thowghe he be les acceptyd In relese of ponyschment, yet hys acceptacon [**fo 47r**] To nobilite was neuer the las, For that acceptation commyth by hys goodenes, & so hyt must be vnderstonde In the diffinition of nobilite. And hyt ys not to be onderstonde, As towchynghys trespacys or offencys, he scholde be releasyd Afore other off the comens, for than hyt myght be occasyon for soche often tymes to oppresse wrongfully the poore people, And so the comenwelthe scholde soone perysche & decay. Wherfore for the better preseruation of the same, meny tymes Noble men misordering them selfe be removyd from ther offyces they had In hyt by trew order & Iustyce. And hyt ys sene oft tymes that for lyke causys a kyng or prynce remouyth them from one Cyte to a nother, or from one cowntrey to a nother. The noble Clarke Aristotle agreyth partely hereto where as in the vth booke off the polytykys he sayth that for an excesse A man may be put owte off the Cyte. Or yff hyt be soo, saythe he, that eny person wythyn the cyte ouergrowe All other in powre & myght by the reason of multitude off frendes or grete

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[a] Cod. 1. 3

abundance off money, hyt ys my cowncell some ordinate or statute scholde be made for soche that they be banyschyd from the cyte to some solitary platt off grownde to dwell ther owte of company, That [**fo 47v**] other Afterwarde may be ware how they excede ther company so far in powre & goodes. By thys yow may perceve that noblenes some tymes hathe certen greffys & incommoditees annexyd wyth hyt.

Apon these premissis ys inferryd A certen conclusion whyche ys thys: some noble man ys depryuyd of hys dignite or noblenes for some trespace, by the wyche priuation thys ys sure he schall lese All the proffetes[26] & Avantage rysyng by hys dignite. But yet he schall not be ryd or cleryd Also of soche laboures paynes & charegys that be perteynyng to hys dignite. The whych ys prouyd by thys reason: A payne or ponyschment that ys layde Apon one ys not leyde to hym for that intent that hyt scholde be A relese off troble that he was in A fore, or to be to hym as an occasion of A rewarde whyche ys geven to one for hys goode deede & merytt. Wherfore hyt scholde seme that, by depriuyng off A noble man from hys dignite, he scholde not be dischargegyd therby of other cares or trobles In the comen welthe[a]. Notwythstondyng ther ys A contrary reason made to thys onder thys wyse: hyt ys ordenid for A ponischment & dyshonoure off men of warre That be dimyssyd from hyt, throwghe [**fo 48r**] ther necligence, that none of soche scholde tary in the Cyte off Rome, nor in eny other place wher the emperowre ys present, & forthermore soche persones be notyd as dyffamyd[b]. And yet they haue some Avantage by hyt, for they schallbe excusyd From the charegeable & trobleouse offyces of tutors. That ys to sayde, The charege off pupyls fatherles & motherles chyldren schall not be committyd to them[c].

To assoyle thys dowte & to make bothe these reasons trewe w^{t}owte contrariete in the lawe, Answere ys made vnder y^{is} maner: No act can be cause off ponyschment & rewarde mediately, So that in continently w^{t} the ponyschment enioyned, ys Annexid A rewarde or plesure therby. But the ponyschment may be a mediate or remote cause, that ys to say by hyt Afterwarde may chaunce, wher as hyt was put vnto one fyrst for A payne, that hyt myght be to hym as an occasion of some plesure or commodite. But for All that, when the payne was fyrst decrede hyt was not ordenyd for that intent that hyt scholde retorne to hys avayle & gayne, but to hys preiudyce & dammage[d].

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[a] Dig. 3. 5; Cod. 10. 59; Dig. 48. 22; Dig. 4. 6
[b] Dig. 3. 2
[c] Dig. 27. 1
[d] Dig. 26. 10; Dinus Comment. on X 5. 41; Dig. 3. 2; Cod. 9. 27

[26] The scribe abbreviated the 'p' as having 'ro' after it, but he has written it all out

To retorne[27] [**fo 48v**] A geyne to the diffinition of nobilite; hyt ys sayde That A man whyche hathe thys nobilite muste be schewde or knowne to be acceptyd Afore other of the cominalte, so that hyt ys not ynowghe he scholde be so acceptyd by hys prynce; but that hyt war declaryd & schewde abrode to other men, for yf hyt war possible for A man to lyve a m[l] yerys, w[t] As gret vertew As myght be in eny man, & that he ware syngularly in hys pryncys favore above other, yet scholde he Alway remayne but as a pryuat person of the cominalte vntyll he war promotyd to some nobilite or dignite; wherby he myght be disscernyd from A nother Inferior person. Yff yow lyst to know the forme & maner how one schalbe declaryd As noble to the people, that he may be so taken A monge them, loke the ij[d] chapter of hester in the bible: how kyng Asswerus dyd nobilitate A man, or els In the v[th] chapter, how he dyd to mardocheus, & ther ye schall se hyt euidently. Or els thys declaration of nobilite may be made w[t] expresse wordes, schewyng that hyt ys hys pryncys wyll the people scholde so take hym, [**fo 49r**] & than ther ys no dowte in hyt. But yet ther may be a difference In the wordes, for when A prynce nobilitatyth eny one he referryth hym comenly to the nobilite, whyche ys had in[28] respect of some certen dignite or offyce; or els, when a prynce nobilitatyth one, he puttythe hym in some grete rome or offyce of hys howse[a], as hyt aperyth by kyng pharao, that made Iosephe chefe rewlar of hys howseholde. And thys maner, that kyng pharao vsyd wyth Ioseph, ys moche obseruyd[b]. Also at the nobilityng of soche persones Ther prynces ar wonte to grawnte them certen Aremes to be borne by them & ther heyres euer affter. And soche aremes be of more authorite than those whyche a man so nobilitate takyth vnto hym of hys owne powre. Of thys spekyth bartholl in a treatyse of hys consernyng blasyng of aremes[c].

Howbehyt y[t] ys a question movid: whyther hyt be lawfull for A noble man to devyse hys owne Aremes, or to take [**fo 49v**] Them A pon hym by hys owne Awthorite? The Affirmatyfe parete of thys questyon, y[t] ys to say that he may take them, I may iustifye by thys wyse: lykewyse as names war fyrst fownde to recognyse & knowe men therby[d], so war aremes & conisances fyrst browghte vp, to discerne noble men therby[e]. Wherfore lyke as the lawe permittythe A person to geve A name vnto hymselfe At hys plesure[f], So hyt scholde seame A noble man myght chose hys aremes to hym At hys owne liberte. To thys hyt ys answeryd a noble man may take aremes vnto hym yff ther be no other In that realme whych beryth the same aremes, so that he was noble afore[g]. Cytees may cause by ther Statutes that

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[a] Cod. 12. 28
[b] Genesis, 39
[c] Bartolus, De armis pingendis
[d] Cod. 7. 14
[e] Dig. 1. 8
[f] Cod. 6. 36
[g] Dig. 47. 2; X 3. 42. 3

[27] In the text 'to retorne' is repeated at the start of fo 48v
[28] In the text there is a gap where I have written 'in'

some may be taken for noble men a mong them, & yet they schewe not by what maner of noblenes they scholde be so taken.

But I thynke verely that soche nobilite ys the lowyst may be, & hyt ys a nobilite wythowte A speciall name longyng vnto hytt, off the whyche master bartholl spekythe [**fo 50r**] In hys declarations apon the lawe sometyme[a]. Hyt ys not expressyd Also when one ys nobilitate, what maner of nobilite he scholde have, for the offyce or authorite he ys put In schewyth hyt euidently ynowghe[b]; As when one ys made duke, Marqwes or yerle, or when eny other gret offyces be geven[c]. But perauenture ye dowte what offyces be they, by whome a man ys nobilitate surely by the Emperowres lawe[d]. There be meny of them whyche be not nowe In vse, & therfore I schall geve yow A speciall rewle wherby otherwyse yow may haue knowlege hereoff: That offyce or act, what so euer hyt be, hathe a nobilite annexid wyth hyt, whyche A monge that comenalte (wher As hyt ys executyd) ys soo taken & reputyd[e]. Wherfore yff they whyche haue had soche offyce a fore hathe bene taken throwghe there rome in grete honowre Among the people, Sooche offyce Alway ys cownetyd to haue nobilite annexid to hyt, & they that have hyt to be made noble thereby. And thys may be prouyd by thys reason: nobilite & dignite commythe by the acceptation off them that hathe powre to geue them. Wherfore yf the people whyche reputyd soche offyces for romes of noblenes & dignite had powre to geue them, Than they whyche be promotyd to eny soche by them, be made noble therby[f]. [**fo 50v**] But yff yt ware so the people whych gave the offyces had no powre or iurisdiction, than the pryncys wyll & favowre muste be requyryd in hyt. There ys A certen maner & foreme In the lawe whych techyth proctors & aduocates in what wyse they schall make ther Articles to prove men noble & howe to reprove them as not noble. But I thynk hyt not expediente for owre purpose to speke off hyt here: hyt ys more mete for men off law to vse hyt in ther lybels[g]. Therfore schortly to conclude in playne & Fewe wordys, he ys cowntyd now A days As noble whych by the comen vse & voyce ys so taken & calde[h].

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[a] Comment. on Cod. 12. 1
[b] Dig. 29. 2
[c] Dig. 50. 4; Lib. Feud. 2. 10
[d] Cod. 12
[e] Dig. 50. 4
[f] Dig. 50. 4
[g] Dig. 33. 10; Cod. 4. 19
[h] Dig. 49. 1

The xix[th29] chapter

To Whome desscendyth nobilite

Now that the diffinition off nobilite ys declaryd, hyt ys to be schewde To whome nobilite desscendyth that commythe of the blode & off kynde[a]. The lawe schewythe hyt extendyth to pronepotes, that ys to say to chyldren desscendyng directly from the father in to the iiij[th] degre, For by yende that the people was wonte to accept none As noble. Neuerthelas hyt ys trewth that some tyme Nobilite extendyth to the posterite, farther lynially as longe as there may be knowlege thereoff as in kyngdomes, [**fo 51r**] Dukedomes, marquesys, yereldomes & soche lyke. Howbehyt the custome ys in some paretes off Italy That All whyche descend of A noble stock schall be taken as noble vntyll they Fall to pouerte or to some vile craftys, for than they begyn to be ignoble[b]. Whereunto agreyth the authorite of the Phylosopher in the v[th] of hys politykes, whyche saythe they be As noble men whyche have assistent wyth them the vertewse & ryches of ther progenitors, for the policy that they had that tyme admittyd nobilite in the stok no lenger then there ryches & vertew enduryd, whyche polycy was not confermable ynowghe to the lawe, For the lawe woll that nobilite off the blode & kynde scholde be considerd, As hyt ys euident in meny placys theroff[c].

Notwythstondyng hyt ys not onely to be considerd but yff the nobilite off maners be ioyned w[t] hyt, for the very trewe nobilite, as clarkes saye, consystyth in the noblenes of vertuowse actes & honest conditions[d]; as Ovyde the poet full clerkly dothe declare in hys worke (*de nuce*) in these versys folowyng: *Nobilitas hominis est meus deitatis ymago*: *Nobilitas hominis virtutum clara* [**fo 51v**] *propago*: *nobilitas hominis humilem releuare*

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[a] Cod. 12. 1
[b] Cod. 12. 1
[c] Dig. 2. 15; Cod. 2. 6; X 2. 28. 23
[d] Dig. 26. 5; John Andrews Comment. on Novellae

[29] In the text 'ixx'

iacentem: *Nobilitas hominis mentem refrenare furentem*: *Nobilitas hominis nisi turpia nulla timere*: *Nobilitas hominis nature iura tenere*. The noblenes of a man ys the mynde or sowle off man (saythe ouyde) whyche ys the ymage of god. The Noblenes of man, ys the goodly spring of vertews that he bringyth forthe. The noblenes of man ys to supporte & releue the poore lyyng in miseri. The noblenes off man ys to refrayne the furyowse appetite of Sensuall wyll. The noblenes of man ys to fere nothyng but schame & dishoneste. The noblenes of man ys to obserue the lawes off nature. Wherfore Tully in hys inuectyfe ayenst Saluste, whyche reprouyd hym off hys lowe byrthe, Saythe; hyt ys more honowre for me to be had in worschyp for myne owne dedys & actes, Than to trust Apon the Authorite off myne auncetors, & moche more laude schalbe to me To lyue soo, That I may be to All my posterite As there begynnyng & hed of whome they schall take Exameple off noblenes & vertewe[a]. The forsayde poett Ovide saythe Also nother Ryches nor grete possessions, nor hy lyenage [**fo 52r**] makyth nobilite, but grete wysdome wythe honest And vertuowse conditions. For vertew ys that whych nobilitatyth the sowle, & when vertew ys gone The honowre of nobilite ys banischyd & exylyd[b].

By these premissis ys euident what thyng nobilite ys & how hyt ys goten; but hyt ys enquyryd whyther nobilite may be loste or noo? Hyt schold seme hyt myght be lost As by relygion; let A noble man be made A monke & he lesyth hys nobilite, After the canon lawe[c]. And Also after cyuyll lawe by matrimony, as when A noble woman maryyth a man of low byrthe, sche[30] lesyth therby her dignite[31] & honowre She had A fore[d]. Also nobilite by the lawe ys lost for a cryme wherby one ys defamyd[e]. Wherfore what season of eny[32] noble man, hys sonnes, the one orderyth hym selfe verteowsly, he reteynyth nobilite wyth hym; & yf the other misgydythe hymselfe viciowsly, he lesyth hys nobilite & ys made therby As one off the lowre sorte. And so be Fell a pon cayin whych slewe hys brother Abell, for throwghe hys gret offence he lost the [**fo 52v**] Nobilite off hys father[f]. Off thys who so euer lyst to rede valerius maximus Schall se meny more exameples. Also yf A nobleman haue ij sonnes the one lawfully be goten, The other A bastarde The nobilite gothe to the lawfull & not to the

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[a] Tullius contra Salustiam
[b] de Ponto, 1
[c] X 5. 24; C. 27 q. 2 c. 26
[d] Cod. 12. 1; Dig. 1. 9
[e] Cod. 12. 22; Cod. 12. 1
[f] Genesis, 4

[30] In the text 'Ssche'
[31] In the text 'dingnite'
[32] In the text 'enyeny'

onlawfull[a]. Exameple Also of Abraham, whyche had ij sones, one by A fre woman a nother by a bonde. The bonde enioye not the heritage wyth the free[b].

But now I put thys case: yff A chorle borne by lytle & lytle getythe grete substance, & so comyth to honowre, kepyng the state of A noble man, Surely he ys not therby noble, For the nature of rusticite cannot be poregyd nor ryd so sone frome hym. Howbehyt the lynage commyng of hym may pretend the state of noblenes. Howbehyt soche A state schalbe callyd A state pretensyd Ontyll sooche vertewe & powre by processe of tyme, doo more Abownde In them that they may deserue to be callyd noble. As we se dayly how housebonde men of the cowntrey, throwghe there diligence, ryse dayly hyer in[33] state of ciuilite, So that there yssewe Atteyne to nobilite. [**fo 53r**] For yf thys war not trew that, of a vyle father, may come a noble stok, hyt scholde folow that other euery man scholde be noble (whyche ys false) or els none scholde be noble. For yf the fyrst parent & father war noble, All hys posterite descendyng of hym war, & be noble; bycause ther coulde no ignobilite ryse by eny person than borne of A vyle stok, whych ys fals; or els we must say that the worlde was euerlastyng havyng in hyt bothe vyllans & nobles. But thys ys fals & ayenst the fayth, wherfore ye may saye that one ys not made noble onely by hys frendes, nor yet throwghe hys goodes, but soche as haue those propertees conteynyd In the vereses Above rehersyd of ovyde: Sooche be noble whyther they descende of A noble man to ther father or A vyle[c].

And so trew nobilite ys nothyng els than the lyffe of man bryght & clere, wyth vertews throwghe the fre choyse & perfection of the resonable sowle workyng them owteward. And yet for all that euery noble man ys not a gentilman, as I schewde a fore. For he ys gentyll that descendyth of a gentyll stok, & thys note Alway that the bloode ys not pooregyd on tyll the iiijth degree [**fo 53v**] Inclusiuely. Howbehyt he that ys nobilitate may enioye The rewle of a Realme & All regalyys, that ys to saye All pryuyleges & commodites perteynyng therto; As in cronicles exameple ys of kyng Rycharde the fyrst, whych made hys butler kyng of cypres.

Wherapon I schall schewe yow opinyons of certen men. Ther was some tyme A famouse poett In Florence callyd Danty whych made a certen dyttey concerning thys matter, whych was namyd In Frenche After thys wyse [*la doulce Ryme damour*] In the whych he rehersyd iij opynions of hys elders Afore tyme. The Fyrst was That A certen Emperowre

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[a] Dig. 1. 5
[b] Genesis, 21
[c] Bartolus Comment. on Cod. 12. 1

[33] In the text there is a gap where I have written 'in'

sayde nobilite was an olde possession of money & Ryches wyth goode conditions & maners. Other sayde that hyt was goode maners onely in olde tyme That made A man noble & they semyd lytle to regarde Ryches. The other sayde that he was noble that descendyd of a noble father or grauncer. Neuerthelas Mayster bartholl reprouyth All ther opinions, determyng for a fynall conclusyon that who so euer be vertuowse he ys noble, & that noblenes can neuer be [**fo 54r**] Where As vertewe wantythe. Some there be that put but iij maner of noblenes in All, Of the whych the fyrst ys Theologicall or supernaturall, The seconde naturall, The thryd cyuyle & polytyke.

The fyrst must be sowght For in the syght off the hye iugge A fore whome nothyng can be hyd nor clokyd. For wythe hym ys cheffe noblenes whych ys hys grace, that makyth one acceptable in hys syght. Wherfore euery man endewyd wyth soche vertewe whych bryngyth hym to the favowre off god hathe thys noblenes in hym & they that haue not be vyle what so euer condition they be off[a], As ys mention made in the byble, where as Almyghty god sayde, who so euer honowre me, I schall bryng hym to honoour, & soche as care not for me schall be vile And abiect[b]. But soche Abiect personnes we be not able to knowe here in thys worlde, but by the reuelation of god, for ther ys no man lyuyng whych can tell whyther he deseruyth the loue of god or hys hatered, & meny be predestinate to the hye heritage off heven, whych in thys worlde be reputyd very vyle & wretchyd[c]. For the whych makyth well the wyse man hys sayyng spekyng in thys wyse; by certen personnes acceptyd [**fo 54v**] In the favowre of god, After ther dethe whome in ther lyffe the people vtterly despysyd, These personnes (saythe he) be they whych sometyme we had in grete scorne & derision, we folysche & brayneles people thowght ther lyuyng was but madnes & scholde ende wythe great dyshonowre, but we fynde all now contrary[d]. Therfore A noble man, As concernyng the lawes of god, ys he whych fulfyllythe to hys powre the wyll of god. Wherefore saythe Saynt Iherome treatyng A pon lawes of mariage: The very pure lybertye onely A fore god ys not to be bonde or servant vnto synne & that ys taken for chefe nobilite A fore hym, whych makyth a man to excell In vertewe[e]. But as towchyng thys nobilite I schall trete no more, levyng for diuines to dyscusse. Thys schall suffyce for the fyrst nobilite, callyd Theologicall or Supernaturall.

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[a] Summa Theologia, 2. 2
[b] Kings, 2
[c] Ecclesiastici, 9
[d] Crisotomus, super Matheum, omelia 44
[e] St Jerome, de conjugio

The seconde nobilite ys callyd naturall, Whyche may be taken ij maner off wayes. Fyrst as hyt may be referryd As well to onresonable creatures as to resonable, for we see After the operation of dyuers byrdes In there nature, That some be of noble kynde & some of a vyle; As of a noble kynde we cownte falcones, egles & soche lyke. A geyne of frute & stones, Some more noblerer than [**fo 55r**] Other. So lykewyse of artificers & workemen, there ys a distinction for the conninger man we call the noblerer, & the lesse of connyng the inferior. Howbehyt of thys noblenes I intende not to treate moche. The seconde wayse noblenes may be taken as hyt fallythe for reasonable creatures & men onely to have hyt, & of thys spekyth the phylosopher, sayng that nothyng els than vertew & wykkydnes makyth Any man noble & wretchyd, bonde or fre[a]. But thys ys not to be vnderstonde of euery vertew, that eche of them scholde have lyke powre to make one noble, as we speke for thys seconde parte of noblenes, but ys[34] vnderstonde of that vertewe whych fallyth to men after As they be apte to haue rewle & dominion & not of soche vertewe whych causyth men to be vnder subiection & to suffer opression, as ys euident by the phylosopher in hys politykes[b]. And thys makyth for owre principalle purpose here. Wherefore we must saye That thys nobilite ys a vertewe belongyng to men acoredyng as they be apt to be orderers & rewlers of other. A nother diffinition the philosopher makyth of thys noblenes[c] Also, wyth thys [**fo 55v**] Addition, sayng that hyt ys A certen perfection consystyng as a mene abowte soche thynges as perteyne to beryng of rewle or dominion, & of thys nobilite spekyth the canone lawe, sayeng we scholde not be A schamyd of owre parentes & auncisters mysdedes, so that owre owne were commendable. For the whych makyth well also the Inuectiue of Tully ayenst Salust rehersyd afore, whyche sayde hyt was more for hys honowre to be had in reputacion for hys owne actes, & to be as an hed & exameple of hys of spryng in tyme commyng to folowe, than to styk to hys auncesters, & throwghe ther meryttes to be magnifyed rather than by hys owne[d].

The thryd nobilite ys cyuile or polityke: wherby a man in hyghe Authorite or offyce dyfferryth by the reason thereoff from A pryuate & inferior personne. Of thys I spoke A fore in the dyffinition of nobilite that mayster bartholl made, how that nobilite was a qualite

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[a] Politics, 4
[b] Politics, 9
[c] Ethicorum
[d] Tullius contra Salustiam

[34] In the text 'ys ys'

geven by hym that had A pryncys powre &c, but As concernyng thys nobilite Seneca saythe: Euery man (yff he lust) may exempte hym selfe from the comen people, [**fo 56r**] yff he be diligent & industriouse to occupy hymselfe in vertew. And thys commyth meny tymes to one by nature sayth he, wherefore in hys fyrst boke off gentylnes that he makyth to nero the Emperowre, he saythe that the mynde of hym whych commyth of a noble stok ys soner inclynyd to vertew than the myndes of other, where he bryngyth an exameple of A horse of a good kynde, how that he ys more gentyll to rewle wyth the brydell than other of cowrser kynde. And some tyme the promptenes & redynes to vertew ys had by labowre & industriousnes, As he prouyd by one Cleantes, whych off a garediner came to the hye dygnite of the chefe Senators of Rome, & as valerius maximus schewyth of Tullus hostilius, whyche In hys cradle was kept in a schepecote & In hys yewthe browght vp in fedyng of catell, & when he cam to manys state & rypar age was promotyd to the great kyngdome of the Romannes[a]. Meny more exameples hereoff reheresyth the sayde author Also, whych I let passe at thys tyme.

Other personnes there be besyde these whych holde opinion, that not onely [**fo 56v**] they whych, by descendyng of hye stok & lygenage, vse themselfe verteowsly, be made noble thereby, but all other persones[35] Also, be they neuer of so lowe degree yff they be vertuowse be noble lykewyse. And so by ther opinion a man ys cownetyd for so moche to be noble as hys operation hys vertuowse & procedyth from the goodnes of the sowle. And Therefore as tochyng the perfection of euery vertuowse nobilite ij thynges be necessary: The inwarde fre choyse off goodenes in the sowle & effect of the owtwarde operation wyth the body; or els, as Saynt augustyne provythe, hyt scholde be no trewe nor vertuowse nobilite, for vertwe (sayth he) ys a qualite of the mynde, whereby the lyfe off man ys well orderde[b]. Wherfore to conclude hereapon The very perfytt & trew nobilite ys that whych procedyth off the goode qualite of the mynde. And so hyt includyth in hym these ij perfections, goodenes exterior in act & interior fre choyse in powre. And then may be verefyed the veresys of the poet Ouyde whyche, As towchyng thys matter war rehersyd Afore.

Here endyth the fyrst booke, & Folowyth the seconde.

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[a] Valerius Maximus, Facta et dicta memorabilia, 3. 4

[b] de libero arbitrio

[35] In the text 'psones' with no abbreviation mark

[**fo 57r**]

The fyrst chapter of Iust batell & dyuerse kyndes of hytt.

A Iust batell ys that whych ys done by proclamation for to recouer thynges wrongfully taken away, or els bycause we may defende us from inuasion of owre enmyse[a]. & yet soche batells be taken as quiet & peaceable wyth the trewe seruantes of god whych be made not of couetowse or a cruell mynde, but for desyre of peace[b]; As what tyme warr ys mouyd for to correct wykkyd lyuers, & for the supportation of goode men. Also hyt ys iust batell when hyt ys made other by authorite of the chyrch[c], or els of a prynce or some other personne, whych may lawfully fyght, so that the personne be temporall, not spirituall.

Also batell scholde be for a necessary & lawfull cause & for A goode intent & not for malyce principally[d]; but that throwgh soche warre peace maybe had, or that thynges may be recouerd, The cowntrey defendyd[e], or els for iust obedience & charite. Warr may be had Also for a mannes owne defence; so that hys defence be moderate, that ther be no fawte fownde in hym, & thys moderation he ys cownetyd to have w^t^ hym[f]. What tyme that when violence ys layde vnto hym wyth wepon, he resystyth agayne w^t^ wepon or wythowte wepon, & in soche Iust batell yf necessite war, [**fo 57v**] A man may fyght euery day; thowghe they war sonedayys or other holy festes. In soche iust batels men may please god meny tymes As the holy decrees testyfyeth[g]. The blyssyd man Allso, saynte Gregory, dothe exhorte certen persones to congregate men of warr to gyther, to fyght ayenst ther enmyys strongly & boldely[h]. Forthermore throwghe the prayers of pope Adryan, Charles the frenche kyng waygyd batell ayenst the lombardes[i].

There ys a certen doctor namyd Ioannes de liniano, whych dyffynythe batell a nother wyse, sayyng that batell ys a stryfe begoone for some purpose displeasyng mannys apetyte, & y^t^ for soche an intente ys taken that thys dyspleasure may be excludyd[j]. That thys diffinition scholde be trewe he prouyth throwghe euery particle conteynyd in the same, acoredyng to the lernyng of logyk, whych cannot conveniently be declaryd after owre vulgare Speche. Notw^t^stondyng, in fewe wordes, I schall schewe yow hys intent. He provythe fyrst batell ys a stryffe, For stryffe ys more generall worde & wythowte stryffe can be no batell.

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[a] Isidore, Ethimologiarium, 20
[b] C. 23 q. 1 c. 6
[c] C. 23 q. 8 c. 5
[d] C. 23 q. 1 c. 4; C. 23 q. 1 c. 3; Dig. 9. 2
[e] X 2. 13. 12
[f] Dig. 43. 16
[g] C. 3 q. 2 c. 4; Dig. 50. 17; C. 23 q. 1 c. 3
[h] C. 23 q. 8 c. 17
[i] C. 23 q. 8 c. 10
[j] Dig. 39. 3

Also that hyt ys dyssplesyng, for dysplesure ys the originall cause off all bate & stryffe. And [**fo 58r**] Where he sayth to mannys apetyte, that ys spoken for y^e^ dyfference of contention that ys bytuyxt brute beestes. Forthermore where he saythe batell ys taken forto exclude dysplesure, Thys nedyth no proffe, hyt ys so euident for we know well the intent ys that dysplesure may be avoydyd, whyche ys the fynall cause off euery batell. And so the conclusion off batell at last ys peace.

The seconde chapter

Off diuision of batell & how hyt ys diuydid

The Forsayde doctor Ioannes de lyniano makythe A distinction of batell thys maner of wyse, sayyng some ys spirituall or gostely, some corporall or bodly. Of thys spirituall warres, some be hevenly, some humayne; that ys to saye perteynyng to man. That warre or batell ys callyd Spirituall hevenly, whych iob spekyth of in hys xiiij^th^ chapter; & that ys humayne of the whych y^e^ apostell spekythe where he sayth, I perceve in my flesche another maner of law resystyng ayenst the lawe off my mynde[a]. Off thys corporall & bodly warres, some be vniuersall, some particular. Vniuersall be when [**fo 58v**] Cowntrey ayenst countrey, londe Ayenst londe, cyte ayenst cyte, hooly to gyther dothe warre[b]. Particular ys taken meny maner off wayse: one ys for defence of a man hys body or hys goodys[c], The other for defence off the body mysticall or some parte of hyt, by the reason off defawte off iurisdiction. A nother ys by the reason of the contumacy off hym whych resystyth the iurisdiction of the Iugge. A nother ys made by the reason off purgation, whyche in laten ys callyd *duellum*, that ys to say A batell off ij men[d]. But yet notwythstondynge All these kyndes, the very trewe diuision of batell ys to say that other hyt ys ryghttyowse or wrongfull. Therefore we schall tary but lytell hereapon remitting yow to the sayde doctor de lynyano in hys treatyse apon batell, yff yow lyst to knowe more largely of the dyuers kyndes off warres aforesayde.

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[a] Romans, c. 7; C. 23 q. 5 c. 11
[b] Dig. 49. 15; C. 23 q. 2
[c] Dig. 1. 1; Dig. 43. 16; Dig. 9. 2; C. 8. 4; X 2. 13. 12
[d] Cod. 11. 44

And thowghe he treatyth sufficiently thereapon, yet as concernyng the vj particle of hys diuision (whyche ys off batell had bytwene ij men for purgation) I schall not be abaschyd yff I may doo eny goode herein to the reders sumwhat more [**fo 59r**] To adde & put to whyche I haue gatherd as I haue bene here & there in warres. Wherfore hyt ys to be vnderstonde that thys doctor enquyryth fyrst what thys batell scholde be that ys bytwyxt ij men. Secondarily how meny kyndes be theroff. Thyrdly by what lawe hyt ys permittid. Fowrthly by what lawe hyt ys inhibytt. Fyftly for what causys hyt scholde be lawfull. The vjth bytwene what personnes hyt scholde be lawfull. The vijth in what wyse & after what maner thys batell scholde be. And the sayde doctor prosecutyth euery member off thys diuision very noblely vnto the ende off hys treatyse, whych we schall se here folowyng.

The iij^{d} chapter.

What thyng ys that whych ys callyd *duellum* in laten or what hyt betokenyth.

In thys question mouyd to knowe what thyng hyt ys, The sayde doctor answeryth sayng that hyt ys a bodly warre off ij persons deuysyd afore bytwene bothe paretyys, other for grete renowne & worscyp, [**fo 59v**] or for purgation to be made for some cryme obiectyd, or by the reason off some rotyd hatered or olde grugeg afore, & thys doctor declaryth euery particle in the sayd diffinition: but where as he saythe hyt ys a stryffe or warre, he puttyth thys worde stryffe to be as the more generall, So that the batell whyche ys callyd *duellum* be as one of the kyndes off the stryffe perteynyng to the necessary defence off a man hys owne selffe, & yet there ys a dyfference bytwene soche batell that ys chaunce medly by twyxt ij men, & thys batell callyd *duellum*[a].

For in the other batell whych ys by casualte, the deliberation ys had onely afore by the inuader, & not by hym that ys inuadyd[b]. Or some tyme hyt ys w^{t}owte deliberation or avysement taken afore off bothe partyyse; And as for thys batell off ij men whyche ys spoken off here, There ys deliberation taken off bothe paretys[c]. Forthermore hyt was sayde in the diffinition that hyt scholde be off ij men For the nature of thys batell ys onely to be bytwyxt ij as the interpretation of the [**fo 60r**] worde, who so euer vnderstondyth the laten, schewyth playnely ynowghe. Also where as hyt ys sayde a bodly batell or stryfe, that was

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[a] Dig. 1. 1; Cod. 8. 4; Dig. 43. 16; X 2. 13. 12; X 5. 4
[b] X 5. 12
[c] C. 16 q. 1 c. 5

sayde to schew difference off stryffe that ys in cowrtes afore iugges bytwene ij persons, As bytwene the playnetyffe & defendant[a]. And Fynally where hyt ys addyd that thys stryffe ys for a purgation, or els to optayne worschyp thereby, or for olde grutche; by these particles he schewyth the effect off thys stryffe & the very properte thereoff.

The iiij[th] chapter

How meny kyndes there be off thys batell bytwyxt ij men callyd duellum.

Thys batell of ij, as hyt ys schewde a fore, ys made for iij maner off causys: other by the reason off olde grutche, or for to get open honowre by strengthe & myght off body, or for purgation of some cryme or cause rysen bytwyxt these ij personnes afore. Whereby we see that there be iij kyndes off thys batell, of the whyche we schall seuerally speke[1] In owre treatyse Folowyng. And fyrst we schall speke off the fyrste kynde whyche ys as concernyng olde grutche or hatered. In thys ys requyryd that the paretyys wyllyng to fyght in thys batell scholde be sworne in the presence off a Iugge to fyght vnto soche A certen poynte as he schall sygne them; whyche othe In the londe off lumbardy hathe a speciall name longyng vnto hyt, callyd in laten *iuramentum de asto*. Thys othe ys lyke the othe that the playntyffe & defendant, [**fo 62r**] or ther proctors & aduocates makythe in cowrtes when they swere that as far as they knowe ther cause or quarell ys trew & that they scholde vse no frawde, Guyle or deceyte. & off thys othe ys mention made in the lawes off lombardy concernyng thys mater: whyche[2] lawes after doctors have iiij dyuerse Intellections. The Fyrst ys where as wytnes be browght For bothe paretyyes whyche be contrary one to a nother, that than rather the mater scholde be tryde by batell by twyxt the ij paretyys, than that the wytnes scholde be periuryd. The seconde intellection ys as concernyng the paretyyse them selfe, as when ij stryfe for possessyon off eny thyng, eche afferemyng for hym selffe that he ys trewe owner; where as no other tryall may be had, that rather they try hyt by batell than by othe, where as than one must nedys be periuryd. The thryd intellection ys as tochyng hym ayenst whome an othe ys

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[a] Cod. 3. 1

[1] At this point in the text a '+' is marked with the marginal note, 'here ye must torne to the second leffe at these wordes In oure treatyse folowyng'. In the manuscript after the '+' on fo 60r are the first words of chapter five. This was a scribal error. I have fixed this so that chapters four and five read properly. This means that in these chapters the folio numbers are out of order.

[2] In the text 'whyce'

taken that he hathe commyttyd some greate cryme, & then he wolde take a nother othe contrary to the same, but rather than he scholde do soo the cause to be tryde by warre [**fo 62v**] by twyxt them. The iiijth intellection ys As concernyng those ij whyche pleate ther cause a Fore a Iuge, & after the one hathe sworne for hys parety wol offer the other to swere lykewyse & he agayne ys redy soo to doo for hys parte. But here hyt ys not permyttyd they scholde bothe swere, The one hyt ys soo, the other hyt ys not soo; wherefore they schall trye hyt by batell, & he that ys the playntyffe schall swere how he beleuyth veryly hys quarell ys iust & the defendant schall swere in lyke maner, how he beleuythe veryly that hys cause ys ryghtyowse to defende[a].

The vth chapter

After what maner & way thys batell schall be made, that bredyth fyrst off olde Grutche

For In as moche as noble men often tymes clayme the londes and the [**fo 60v**] cowntreys that other kepe & holde, There fore meny tymes thys batell hathe bene vsyd among them; As in example the kyng off ynglonde hathe a grete Tytle to the realmes off Fraunce & other cowntreyys thereyn, as to Normandy, Gascone & Guyon, wyth dyuers other there, by the reason that kyng beluyne, sometyme kyng off ynglonde & that season namynd the londe off brytanne, conqueryd the realme of fraunce Fyrst & the sayde dukedomes. Wherfore grete malyce & envy was rotyd in bothe partyes eche agayne other & so contynewde ontyll kyng Arthures dayes: whych recouerd ageyne, by hys valiantnes, the hole kyngdome off Fraunce, what tyme he ouercame fullo, the graunte captayne of the romans at the cyte off parys. The whych sayde fullo had the rewle those dayse, onder leo y^{e} Emperowre, off all the realme off frauncee. Thys noble kyng arethure conquerde thys captayne in Fyghtyng wyth hym honde to honde after the forme & maner off thys kynde off batell that we speke off here. And that was in thys wyse. They bothe toke fyrst there othe, the one that he had [**fo 61r**] trewe tytle to calenge, The other lyke tytle to defende & so came strongly armyd wythowte the cyte off paris to a certen grownde apoyntyd for them to Fyght; wyth a houge multitude off people folowyng to beholde & loke a pon them. They ryde bothe

[a] Cod. 9. 46; Dig. 9. 2; Dig. 35. 2

apon goodly & swyft cowresers, goregiusly trimmyd & dekkyd, so that hyt was harde to discerne who scholde bere away the Tryumphe. When they cam to the place apoynetyd set in ij dyuers paretes, one strayte ayenst the other, They toke there speres in there restes & there horsys wyth there spores ronnyng so fersely that they mett to gyther wyth mervelowse sore strokes off bothe partes, but Arethure smote follo so sore in the brest wythe hys spere that he ouerthrew hym to grownde, & as he wolde haue drawne owte hys sworde to haue layde more harder to hys charge follo hastely rowght hys spere to hym & sodenly chopt hyt in arthures horse brest, that they fell bothe w^{t} the stroke to the grownde, soo that the brytonnes thowght veryly [**fo 61v**] When that there kyng arthure was so ouerthrowne, that he had bene vtterly slayne, & soo cowlde very hardly holde there hondes; but wolde haue ronne apon the romanns & frenschmen bothe to A venge ther kynges dethe.

Neuerthelas, arthure gate vpon hys Fete valiantly wyth hys schelde in hys honde, & wythstode Follo stowtely; layyng sore strokys to gyther the one to slay the other, & had not Follos Sworde be dull eggyd throwghe the manyfolde strokes layde on Arthures helmet he had slayne arthure[3], And so the bloode guschyd owte. When arethure espyde hys habergen & schelde All red throwghe the bloode, he gave follo sooche A stroke on the hed wyth calyburne, hys sworde, that he clewyd hys hed in ij pecys, whyche After was nouysyd among the hoste. The Cytesyns off [**fo 63r**] Paryse cam ronnyng hole to gyther; settyng open the yates & delyuerd the cyte vnto Arthure. These be the very wordes of the cronicle; loo here yow may se how olde grutche & malyce causyd thys batell bytwene ij mooste valiant knyghtes. Thys maner of Fyghtyng ys dayly exercyde In a maner in the Realme of Fraunce, and I meny tymes my selffe haue sene paretyse Fyghtyng after thys wyse: where as they haue chosen for there Iugge to breke thys stryffe my specyall goode lorde[4] & mayster the lorde Thomas, some tyme yerle off Salysbyry. Whyche sayde lorde hathe often tymes be holde frome the begynnyng to the ende bothe paretyys so Fyghtyng, & at the last Full honorably hathe browghte them to a goode concorde & agrement, retornyng eche of them home ageyne rewaredyd bownetyously w^{t} larege gyfftes to ther great worchyp & renowne. Thys was doone but late dayys a goo; what tyme that the most excellent prynce Henry the vth reygned bothe in ynglond & fraunce, [**fo 63v**] & after hym hys sone Henry the vjth crownyd kyng In bothe Realmes.

[3] At this point in the text is a '+' with the words 'so the blod' with a sign which is a circle with a dot in the middle. This sign is continued at the start of the next chapter, and this indicates where the text continues for this story. Look footnote 1

[4] In the text 'lorde' is missing

The vj chapter

What thynges be requyryd Affore thys batell be perforemyd

The paretyyse whyche intend to fyght in thys batell for some cause peraventure Towchyng eny straynge Realme, or for the honowre perchaunce off some prynce in whose presence they desyre to fyght, They take an othe bothe to gyther to contynewe ther batell as longe as ther lyffe enduryth. And thys chauncyth some tyme for suspition of A vowtrey; as in the londe off lombardy, concernyng thys mater, the lawe schewyth some man of aremes peraventure towchyth a nother hys wyffes pappes, dalyyng wantonly wyth her, whereby her howsband hathe thys man in Ielowsy wyth hys wyffe, & hereapon calengyth to fyght wyth hym layng to hys charge, the cryme of a vowtrey. Hereapon the other offeryth hym selffe redy to defende as gyltles in the [**fo 64r**] Cause. And so bothe coniure to gyther to take thys batell in honde, & chose bytwyxt them selffe amonge ther frendes some noble prynce to there Iugge; Afore whome thys warr schall be made, or els hyt schall be done afore some hed offycer of the sayde place or cyte.

And when the day apoynetyd to fyght ys come A great wyde & playne place schall be provydyd for them other wythyn the cyte or w^{t}owte whyche schal be closyd abowte wythe ropes & cordes or els strongly raylyd, & ther proclamation schall be made vnder payne off losse bothe of body and goodes that no man be so hardy to make eny soche clamoure noyse or owtecry, whereby eny of bothe paretyys may be dyscomfyrte or hynderd. And the forsayde Iugge schall be honorably sett nere the enteryng of the same place, whych diligently schall cast & consider in hys mynde who takyth the foyle. Thys Iugge schall se also that none fall to Fyght wyth other afore they haue taken bothe an othe that there qwarell ys Iust; The one to calenge & the other to defende. And yff thys batell be not fynyschyd in one day, Thys sayde Iugge to Apoynte some other. [**fo 64v**] Howbehyt these thynges be done more of custome, than by eny lawe wryten. Neuerthelas when thys batell schall be had for the tytle of eny Realme, eny londes, or els For eny honeste cause, Than thys sayde Iugge so chosen may at hys pleasure (when he lyst) end & terme the stryffe after yt ys ones coniuryd & begone.

Also for sooche honest causys the paretyys whych schall take thys batell in honde Schall put apon them the strongyst & moste sure armowre they can gett w^{t} ther trompetors & other mynstrells playyng, heraldes off aremes also & there prosecutors, wyth other mynysters schowtyng & cryyng to the greate honowre off the Fyghters wythe lowde voycys praysyng the stoke, the bloode & the noble actes off the paretyys. And the heraldes schall were A pon them the cote Aremowres of these ij men off aremes. Also These forsayde men that intend to fyght soo to gyther schall chose whyther they woll try hyt on horsebak or els on foote at the lystes. And or they begyn batell the cause theroff schall be openly proclamyd by some

heralde in the presence of the sayde [**fo 64Br**] Iugge & to hym schall be presentyd bothe ther wepons that they schall fyght wythe, that he may examen them whyther they be lawfull wythowte fraude or deceyte, whyche wepons after he hathe ons examenyd and restoryd them agayne to the paretyyse, than yff they be a grede afore to try ther quarell wyth sperys on horsebake They schall go to hyt in godis name, one ayenst the other as longe as hyt shall plese the forsayde Iugge.

The same maner ys obseruyd lykewyse the woll try hyt at the lystes wythowte horse a pon Foote. And so lyke wyse in any other poyntes off thys batell All schall be orderde After the pleasure off the forsayde Iugge. And as sone As he hathe commannedyd they scholde cease fyghtyng, hyt schall be lawfull for nother of them to towche other vnder payne off perpetuall dishonowre, but incontinently to geve vp.

Here ys to be notyd that thys maner off Fyghtyng bytwene ij was browght vp fyrst after the lawe off nature, so as law off nature ys taken in hys seconde signification (whych ys onely referryd to man as [**fo 64Bv**] hys naturall inclination ys) for man ys storyd by hys sensuall motion (whych procedyth of the principles off nature) to preve & put in experience hys bodly strength, & that onely & principally for thys effect, that he may get honowre or prayse thereby. Wherfore when for thys cause (that ys to say for to get honowre throwghe valiantnes of strength) thys batell ys taken vp bytwyxt ij, than hyt ys y^{e} las to be lothyd or detestate, but when thys batell ys taken off pure malyce that they haue naturally one to a nother, & so For thys intent that there schall Fall thereby the vtter destruction of y^{e} one or bothe, than I dare not take apon me to alow eny soche warr; bycause hyt ys contrary to the commaundement off god, Where as he saythe: *Non occides*, Thow schalt slay no man nor intende to slay eny man[a].

And as for the other batell ys taken principally for thys intent that the one may ouercome & conquerr the other whych may be well ynowghe w^{t}owte vtter destruction, & therfore hyt ys las preiudiciall & detestable, bycause actes [**fo 65r**] & dedes comenly be taken & decernyd After the fynall intentes that they be done for[b]. And therefore, saythe the phylosopher, he that vsyth a whoman more for money than bodly pleasure ys not to be

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[a] Deutoronomy, 5
[b] Dig. 47. 2; C. 24 q. 1 c. 38

cownetyd as a lechowre, but as a covetowse man. Also thys maner off fyghtyng whyche I spoke off affore, whych ys for honowre, ys done pryncypally to prove one hys strengthe & manhode; whych manhod & fortitude ys A morall vertewe, ye & Also one of the cardinall vertewys. But none of sooche verteu ys nor the excercyses be inhybyt by the lawe generall of all people. Therefore thys maner of warr me thynkyth scholde be lawfull. And thys schall be sufficient, At thys tyme, as towchyng the seconde parte of diuision; that ys to say where as thys batell ys taken bytwyxt ij For honowre to be got therby or renowne.

The vij chapter[5]

What schalbe doone when ij men Warr For purgation off eny cryme

[**fo 65v**] Now I intend to speke of the iij^{d} & last parte off the diuysyon aforesayde, thowghe hyt was fyrst rehersyd, that ys to say of thys purgation of cryme, & ye schall vnderstonde that hyt ys ordenyd by the lawes off lombardy: how thys batell bytwene ij by the reason of purgation may be had in xx dyuerse casys, besyde ij casys wheroff mention ys made in the lawes off frederic the Emperowre as concernyng peace to be kept. The fyrst case ys when one ys apechyd off Treason, that he scholde conspyre hys princys dethe, than hyt schall be lawfull for hym that ys acusyd to clere hym sooche wayys as he can, so y^{t} yff he be present that laythe so to hys charge, he may Avoyde thys cryme by batell, offeryng to fyght wth hys acuser in thys case. Off thys the lombardes haue A certen text in ther lawes who so lyst to knowe forther hereoff.

The seconde case ys when one callyth A nother cokolde, & contynewyth in hyt, sayyng he woll abyde by hyt, to prove hyt. Yf afterwarde [**fo 66r**] he can not prove hyt by convenient wytnes than they schall try hyt by batell bytwyxt them.

The thyrd case ys when one accusyth another that he scholde slay hys father or mother by poyson & to prove thys offeryth to fyght w^{t} hym In the quarell. Than yff he swere Afore Apon a booke that he layyth not thys vnto hym principally bycause he wolde fyght wth hym but by the reason off very suspition whyche he hathe to hym for the cryme, than he schall have lycence to prove hyt by batell & by that After as the ende of ther lyffe ys so schall ther innocency heryn be declaryd. These be schewde Allso in the lawes of lombardes.

[5] In the text the chapter number is given as 'vjj'. This is because of scribal error; in the titles to chapters seven to twelve the original scribe numbered each chapter as one less than it really was, thus the original scribe numbered chapter seven thus 'vj'. However a later hand has added a second 'j'. I have corrected the original scribal error in each case, and the text reads as it should have done.

The iiijth case ys when that, After trewyse ys taken & a kys of peace geven by twene paretyse, one slayth eny of the contrary parety & when he ys accusyd of hyt denythe hyt, than he must try[6] hys cause by batell w^{t} hys owne hondes.

The vth case ys in the cryme of paricide, when one slaythe hys father For covetowse of hys londes or goodes, as a certen [**fo 66v**] lawe Amonge the lombardes makyth mention off vnder thys maner: what so euer kyng (sayth the lawe) For covetousnes slaythe other by hymselfe, or by eny other hys father, mother, brother, syster, or Nevewe, the hereditage off hym so slayne schall remayne to the other lawfull heyres & the londes of the manqueller to be forfett, & the person hymselfe, After y^{e} ordinaunce off the byschop, to be put to open penance. And yff so be he that the cryme ys layde on denyeth hyt, than In hys owne person he schall try hyt by batell & not sofferd to have eny champion for hym.

The[7] vjth case ys when hyt ys layde to the lorde that hys bondeman hathe commyttyd theft, but peraventure hyt ys not manyfest, & soo the lorde woll styfly deny that hys servantor bondeman dyd eny soche cryme, than in thys case Also he ys bownde to clere hys servant by batell.

The vijth case ys when eny fre man ys accusyd of thefte, than for the fyrst tyme he may clere hym selffe by hys othe Acoredyng to the lawe, yff he be able. But yf soo be [**fo 67r**] At eny other tyme ij or iij accuse hym Agayne of the same cryme, than hyt schallbe lawfull for hym to try hys quarell ayenst one of hys accusars wyth hys buklar & batt in the felde by batell, as the maner ys in lombardy.

The viijth case ys in sooche men whych for ther offencys hathe bene Iugged to dethe & Afterward hathe got pardon off ther lyffe. Yff thes men requyre After Iustyce off eny other, or eny other off them, than egall Iugement schall be deteremyd bytwyxt them, so that soche persons whyche be so pardoned ther lyffe schall retayne in fre lyberte All sooche thynges as they can gett by iustyce, but they schall not be taken amonge them for eny wytnes, nor yet kepe eny place to Iuge After the lawe. Neuerthelas yf they be putt to an othe they may swere. But yff eny woll lay ayenst them that there othe ys fals, than wth hys batt & buklar hyt schall be lawfull for [**fo 67v**] hym to defende hys cause by batell as in lombardy ys vsyd lykewyse.

[6] In the text 'try try'
[7] In the text 'Th'

The ixth case ys yff he be apechyd or accusyd off eny cryme, hys patron owght to defende hym yff he can by an othe, & yff he cannot than he owght to defende hym by batell.

The xth case ys when eny man calengyth the sone for hys Fathers dett After hys dethe, & the sone denythe hyt. Then the sone schall take an othe, after as y^{e} quantite of the money ys for the whych he ys sewyd, that hys father was not detter to thys person. Or els, yff he woll not do soo, he ys bownde to defende by batell After the lawes of lombardy.

The xjth case ys when one apechyth a nother off burnyng off howses or off thefft, takyng an othe afore that he accusyth hym not off malyce onely to fyght wyth hym, but for very suspition that he hathe to hym heryn, than he muste defende hym by batell.

The xijth case ys yff eny man be fownde [**fo 68r**] to be conuersant wyth a nother man hys wyffe dyshonestly, As to lay hys honde on her breste or to eny other place whereoff suspition may ryse of dyshoneste. Yf thys cryme cannot be prouyd, but onely that one apechyth a nother for suspition that he hathe ayenst hym as towchyng hys wyffe, than he that apechyth schall have lycence other to compell the other to take an othe, or els to try thys quarell by batell bytwyxt them.

The xiijth case ys very generall & ordend in the londe of lombardy to auoyde periury. As when hyt apperyth openly that other he whych pechyth or els he wych woll defende must nedys be periuryd, hyt ys better (sayth the law of lombardes) that they scholde fyght wth there battes to gyther in the felde, than that priuyly periuryd scholde be commyttyd.

The xiiijth case ys when one hathe sworne in A certen cause[8] & the other woll allege ayenst hym that he swore fals, than the stryffe schall be endyd bytwyxt them by batell.

The xvth case ys yff there be stryffe for certen londes & bothe the paretyse, or the on of them, bryng [**fo 68v**] for the euydence or wrytynges whereby he may calenge them. Yff the other apeche thes wrytynges as fals & cowneterfett, than he may defende hys tytle by batell yf he lyst.

The xvjth case ys yf stryffe be for the possession of eny londe who scholde be fyrst possessyd In hyt, The trewyth schall be tryede by batell.

The xvijth case ys where as eny man other In hys owne persone or by hys depute leve eny off hys goodes or substance wyth eny man & the recever afterwarde denythe hyt for covetowsenes of the goodes. Than yf so be hyt be xx^{s} valew, The verite schall be prouyd by batell.

[8] In the text 'cause cause'

The xviijth case ys when one apechyth a nother that by vyolence he hathe taken Evidence of hys londe from hym & geven hyt a nother or els for fere of dethe graunetyd hys londe to a nother, than thys stryffe schall be endyd by batell.

The xixth case ys where as trewthe schall be provyd A monge contrary wytnes.

The xxth case where As a thyng ys stolne & after fownde wth some man. [**fo 69r**] Hyt schall be lawfull for hym wyth whome hyt ys fownde fyrste to purge hym hymselfe of thys theft by takyng an othe, & yff he cannot be so excusyd but that the playnetyff woll styll laye thefft to hys charge, than batell schall be had bytwyxt them wyth the buclar & crosse, After the maner of Lombardy.

There be viij caseys besyd these in the wych the batell schall be note bytwyxt the principall paretyys, but by ther champions. Whereoff the fyrst case ys yff A whoman ymagyn her howseband hys dethe.

The seconde case ys when he that ys accusyd off a fawte woll deny hyt, than he ys bownde to fyght in hys owne persone, But yff great age excuse hym or tendernes off youthe, or els greate wekenes & feblenes off body; so in these casys he may assygne a nother for hym.

The iij^{d} case ys when eny person callyth any other hys damoysell or seruyng whoman, harlott or strompett; not of malyce or fury, but of suspition. Than sche schall defende her selffe by a champyon.

The iiijth case ys [**fo 69v**] when one accusyth hys owne wyffe wythowte eny cause that sche scholde commytt avowtrey, or conspyre hys dethe. Than hyt schall be lawfull for the sayde whoman to poorge herselffe by the othe of hyr frendes yff sche can, or els clere hyr selffe In batell by A champyon.

The vth case ys in the matter of serfs[9] , for yff eny cryme be layde to them or eny of them, ther patrons owght other to defende them in batell by there ownne selffe or els by a champion.

The vjth case ys where as one pechyth A nother off avowtrey wyth hys wyffe. Than hyt schall be lawfull for hym on whome the cryme ys layde to clere hymselffe by An othe, or els in batell by a champion.

The vijth case ys where as a bondeman callyth hymselffe Free for desyry he hathe to lyberte. Than in thys case yff hyt be dyfficulte for the lorde to bryng proffe ayenst hym off

[9] In the text 'The vth case ys' then a gap

hys bondage, he may ende the stryffe chosyng A champion to fyght For hym. And thys bonde man Also, yff he be very Agyd or seekly, may [**fo 70r**] chose A nother lykewyse.

The viij[th] case ys As towchyng clerkes yff one of them apeche A nother they schall not fyght to gyther In there owne persones but by champions, After the lawes off lombardes. Howbehyt by the canon lawe hyt ys forbyd that clerkes scholde fyght in thys batell other by themselffe or by eny other. And Althowghe all these case of fyghtyng bytwene ij be prohybyt by the lawe off god, the lawe off nature, the posytyue lawe bothe canon & cyuyll, yet in euery chrysten region lyghtly thys batell & maner off fyghtyng of hytt ys vsyd among them, & that schewyth well the doctor Hostiensis in hys interpretations off the canon lawe. And therfore I rehersyd these forsayde cases bycause I haue sene meny tymes my selffe lyke batell in fraunce bytwene ij noble men, As I schewde afore.

The viij chapter

What maner off wepons by custome are[10] graunted To sooche men As fyght to gyther in these casys

Above [**fo 70v**] In these casys when men schall Fyght to gyther for purgation of eny cryme, by custome the Iuge owght to prouyde them for hornyd battes wyth targettes & scheldes whyche schall be equall length & byggnes. And the parety that apechyth schall haue the Fyrst choyse of the sayde wepons, As the maner ys vsyd in lombardy. But whyther they schall haue helmettes or salettes Apon ther heddes we can not fynde nother by lawe nor custome. And yff so be the forsayde battes or scheldes be broken, by noo meenys they schall have eny other geven them agayne. And yff ther battes Fall From ther hondes, but yff they can catche them therselffe Ageyne, they shall gett none newe, but he schall stonde to hys haremes that was so ouer sene to lett hys wepon fall & cowlde no surelyer holde hyt. Howbehyt we haue not these thynges by eny lawe wrytten, but obseruyd rather by vse & custome.

[**fo 71r**] As For other questyons movyd by the sayde doctor Ioannem de lyniano herein I care not gretly for hym; yow may loke on hys worke yff hyt please yow, or els apon mayster bartholl, whych glosyd the sayde lawes off the lombardes, whome the aboue sayde doctor Ioannes de lynyano folowyd in hys treatyse worde for worde.

[10] In the text 'a'

The ix[th] chapter

Off salve condute to be had

I haue schewde a fore how batell ys comyttyd bytwyxt ij noble men other for renowne, by provyng off strength or connyng in aremes, or by the reason off olde grutche. Now I put thys question: yff so be ij noble men off A strange londe, as hyt myght be off fraunce or Spayne, haue deteremyd in eny sooche case to Fyght to gyther, & chosyth for ther Iugge the kyng off ynglonde, whyther may they come save in to ynglonde wythowte A savecondute or no? I wolde cowncell them, yff they desyre to come, surely that they presume not to come [**fo 71v**] Wythowte A save condute. But for in As moche As in soche pasportes or saluecodutes often tymes may chaunce grete Ieopardy, Therefore I intende to schewe here a certen forme off the makyng off them, As I was wonte, At the request off my speciall good lorde, to prouyde for other. The tenor whereoff Folowyth onder thys maner:

Thomas off mownte acute, yerle of salysbery & pertice, & lorde off mowntehermece, leve tenant generall In All Fetes of warres off owre souerayne lorde the kyng, throwghe All hys realme off fraunce, dukedomes off normandy, aquitany, aundigaw & the yerledomes off cenomanny & pontyue; to all yerles barons, knyghtes, Sqwyers, captaynes of people, garisons, cytes, townes, castells, Fortalycys, kepars off yates, brygges, passagys; to all stypendarys or sowiares of owre souerayn lorde the kyng, & to all other & eche off them what so euer they be, Iusticys, balyves, schreffes, onderschreffes, And All other officers, leffe tenantes & kepars of what **[fo 72r]** *soo euer Iurisdictions they be, that schall see or here these owre patent letters, we send gretyng in god.*

Be hyt knowne to all yowe that we geve & graunte, by these present letters, to gyles of vytrey, knyght, free lycence, salue & sure condute, to the ende & terme of iij Monethes, that ys to say marche, Apryll, & Maye, next folowyng after the date off these presentes; to come to owre personne from the cyte of turney, vnto the towne of Alencone, in normandy, there to tary all the hole tyme, or els eny certen parete off hys saluecondute abovesayde w[t] x horses, iij gentylmen, one chapleyne & v other off hys servantes waytyng apon hym: for to trye & manly to defende a certen apechment bytwene the same gyles & Iohn, an ynglysche knyght, coniuryd xxiiij day off apryll next[11] commyng, As he trustyth to be enedyd afore owre presence in the parke of alencone wythyn the lystes.

[11] In the text 'nex'

Wherefore we desyre all yowe &, by the Authorite we haue, commaunde yow of yowre [**fo 72v**] *fidelitees, that yow honestly receve the sayde Gyles wyth hys horsys, gentylmen, chaplayne & other servantes, wyth All other off hys armowre, sperys, scheldes, knyffes, daggars, or eny other wepons longe or schorte, And doble armowre for hys owne body necessary For soche an act, & that yow soffer hym wythowte eny maner off exaction frely to tary wyth yow & pasby yow ontyll he come to owre presence wyth all sooche goodes & substance, as he purposyth to cary wyth hymm In clothesackes, males, bogettes, or eny other coffers or chestes, as all maner Iewells, golde, syluer coynyd or oncoynyd, preciowse stoones, pereles, or eny other tresure what so euer facion or valew hyt be. When so euer he schall come by yowre placys, holdes or Iurisdictions, wythe the sayde stoffe perteynyng bothe to horse & man, As well for hymselffe As for hys company wyth hym, we woll that yow receve hym honestly. And prouyde for hym & hys seruntes in all necessaryys they schall* [**fo 73r**] *nede; what so euer ynnes logegynges & placys that they schall come to at ther costes & chareges.*

Yet not wythstondyng we woll in no wyse that the sayde Gyles enter your townes, castells, Fortalysses or holdes wyth hys forsayde horse stoffe or seruantes wythowte your leve & lycence, but wth thankes geven for yowre favour. And that yow assygne to hym A convenient tyme for to tary wth yow After the whyche payyng dewly & trewly for All sooche as he & hys hathe take, yow soffer hym wyth all hys company & forsayde stoffe frely to departe: knowyng thys for a surete, that yff yow doo the contrary off thys owre saluecondute to hym or eny off hys in eny poynte, we schall procede grevosly ayenst yow, And eche off yowres acoredyng As the law woll requyre herein. In wyttnes whereoff &c.

The xth chapter

How many maner of wayys a salue condute Or surete ys graunetyd.

Forthermore ye schall vnderstonde that a saluecondute [**fo 73v**] or saluegarde ys geven iij maner of wayys: Fyrst by promes; Secondaryly by settyng vnto some publyque personne; Thyrdly by wrytyng or puttyng vnto some sygne or tytle. Fyrst as tochyng promes: hyt ys geven after thys maner; yff I Fere gretely that thow wolte doo me some bodly hurt when I come in eny off thy paretyys, in thys case thow mayst geue me a saluegarde to be sure wythowte dammage, Yff thow make A promes to me fethfully thow schalt nother hurte me nor hynder me, As mention ys made hereoffe in the cyuyll lawe in dyuers placys[a].

[a] Cod. 1. 15

Now as tochyng thys mater, than I aske thys question: whyther he that gevyth or promesyth sooche saluegarde ys bownde to fynde suretes[a]. Hereunto breffly ys to be answerde that yff the promysar be sufficient man as a man off grete powre & lyvelode in those paretyyse, than[12] hys promes schall be sufficient & nedyth no suretes[b], bycause the parety may haue remedy ynowghe other wayys. But yff the promysar be not of habilite [**fo 74r**] to make answer sufficiently for the hurtes & losse of thys personne, than I graunte hyt ys necessary for hym to requyre suretes therefore.

The xj[th] chapter

How surete or saluegarde ys grawnetyd by a publyque personne.

The maner off grawnetyng securyte or saluegarde by a publyque personne ys moche had in vse & custome, specially when seages be endyd, & the townes or fortalyssys yeldyd vp. Then the paretyys whyche war be seagyd afore, woll by the reason off some composition they haue made departe to some other partys or placys. In thys case peraventure some heralde or prosecutor, whyche be publyque personnes, schall be assygenyd to goo wyth them to conducte them salvely throwghe the londe & Iurisdiction off the prynce to those paretes whych they desyre.

And thys heralde, ther conductor, ys callyd by the cyuyll lawe gardiator, whych ys bownde to kepe these personnes, that he so dothe conduct dayly, salue [**fo 74v**] & sure from hurt & preiudyce[c].

Also hyt ys not for euery captayne to geve sooche a heralde or gardiator; but onely for a prynce or hys depute In hys absence, or els the constable, or els for sooche a captayne whyche hathe sooche powre & Authorite commyttyd specially vnto hym. And generally here ys to be notyd that all sooche lordes may grawnte saluecondutes & assygne heraldes or gardiators, that ys to say conductors off the people herein, whych hath Authorite & powre to wayge Iust batell or warr[d].

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[a] Instit. 4. 14; Dig. 24. 3; Dig. 39. 2; Dig. 45. 1
[b] Cod. 1. 15
[c] Cod. 12. 37
[d] Cod. 1. 40; Dig. 5. 1; Dig. 48. 3

[12] In the text 'than than'

The xij[th] chapter

What maner of wyse surete ys geven by settyng to sygne or tytle.

The iij[d] maner of gevyng surete ys by puttyng to some sygne or title, as when one askyth to haue the kynges aremes or bage peyntyd ouer hys yate or howse. In thys case I say hyt owght to be graunetyd hym as well as to sowiars or men of warr; but yet I woll yff eny soche saluegarde schall be grawnetyd, that hyt be doone for some cause or good consideration openly knowne the paretyys beyng [**fo 75r**] present, as the lawe cyuyll schewyth to be doone hereyn In dyuerse places[a]. And thys saluegarde or surete ys geven by hym that hathe a pryncys powre, of the makyng whereoff the forme here folowyng ensewyth:

Thomas of mownte acute, yerle off salesbery & pertice &c, to all dukes, yerels, barones, knyghtes, squyres, archers, kepars of cytes, and so forthe as was above wryten in the salue condute. Be hyt knowne to all yowe, that we haue geven & graunetyd, & do geue & grawnte by thys presentes gode & salue condute, salue garde or surete to Iohn of S & w of B, proctors of the inhabitors of the towne of saynte lupe, next[13] *vnto orlyance, & to all the paryschons there, there wyffes, chyldren, seruanttes what so euer they be, from the xv day of apryll to the xv day of may inclusiuely next cummyng after the date off these presentes, salue & surely to dwell, tary & labowre in ther londes or vynyardes & to occupy in them what munall workes they lyst, as they schall thynk necessary & conuenient for the tyme Above sayde & so peasably & quyetely to come* [**fo 75v**] *And retorne throughe owre hooste & other places vnder the Iurisdiction & obedience of the kynges & vs. And we receve all sooche & eche of them, ther wyffes, chyldren & seruantes wythe all maner off catell & pullyn howseholde stoffe wyth other goodes moueable & onmoueable perteynyng vnto them, in to the saluegarde & protection off owre lorde the kynge & owres duryng the tyme above wryten; commaunedyng & expressly in ioynyng yow Iusticyyse & offycyars off owre souerayne lorde the kynge & all other aboue namyd, that yow soffer Frely, quietely & peasably the proctors off the sayde paryschons & the paryschons themselffe wythe there wyffes, chyldren, seruantes &c to inhabyte In the sayde parysche ther to labowre & attende soche werkes peasably & quyetely, As schall lyke them & that yow soffer them In lyke maner to come to owre hoostes w[th] vytells & to retorne from thense or to abyde & tary there. And all so Frely to come to &*

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[a] Dig. 1. 7; Cod. 11. 10; Cod. 1. 15; Cod. 10. 10

[13] In the text 'nex'

pasby all other off owre places soo[14] *that they be not aremyd; Prouydyd Allway that the sayde proctors & paryschen enter not* **[fo 76r]** *the forsayde cyte off orlyance nor eny other wallyd towne or fortalyss wythowte owre speciall leue & lycence, nor to be fownde nor taken there onder the perell that schall fall therapon. In wytnes whereoff &c.*

The xiij[th] chapter

what ys to be doone yf a saluecondute be broken

There be dyuerse opinions as tochyng the ponyschment of them whyche breke these saluecondutes, savegardes or placardes. Some holde that accordyng to the grevosnes of the offence, the payne schalbe sett[a]. Some woll ageyne that he schall be ponysschyd After as the offence war treason, For in brekyng of the kynges saluecondute he ys thowght to trespace ayenst the kynges owne personne; whych opinion I held sometyme myselffe[b]. Other say that he schall be commyttyd to hym whose placard he broke to be ponyschyd as he lyst[c].

But for All thys I say hyt schall be At the arbytrament off hym that graunetyd the saluecondute or placarde so that he schall assyghne ponyschment for the brekar [**fo 76v**] thereoff as hyt schall please hym.

Now here ys a questyon movyd ageyne: whyther the cheffe lorde that graunetyth the saluecondute may graunte hyt duryng the mannys lyffe. I thynke verely that lyke as the saluecondute graunetyd for a certen tyme hathe hys full strength as longe as that tyme enduryth, So lykewyse yff hyt be grawnetyd For euer, hyt schall last continually[d]. Here ys to be notyd that thys saluegarde or surete ys moche lyke a trewce taken, Howbehyt not in all thynges. For a trewce ys properly A surete or saluegarde graunetyd to men & there goodes for a season when the stryffe or dyscorde ys not yet Fully & hole enedyd[e]. Also off trewcys some be conventionall, Some canonic. The conuentionall recevyth hys forme off the conuention, lykewyse as a contract & bargen recevyth hys lawe & Forme thereby. And therefore hyt ys, that they whych be at warre to gyther may make sooche a covenaunt that hyt

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[a] Dig. 1. 18
[b] Dig. 48. 4; Dig. 49. 16
[c] Dig. 1. 3
[d] Dig. 39. 2; Dig. 1. 6
[e] Dig. 16. 3

[14] In the text 'ssoo'

schall be kept duryng the warr, as in trewce taken for a tyme[a]. [**fo 77r**] For a man must kepe his promys also w[t] hys enmy, but that ys to be vnderstonde when hys enmy dothe so lykewyse, wyth hym or els nott. Thys trewce conuentionall agreethe wyth the saluegarde & surete I spoke off afore[b].

There ys a nother trewce whych ys canonic, off the whych the canon law spekyth sayyng that ther be certen personnes whych owght allway to kepe trewce; as prestes, monkes, conuerses, religiowse people, marchauntes, howsebond men commyng to & froo & exercyde in howsebondry[c]. And also the beestes that tyll & plowghe & cary corne to the felde. Also Rome goars & vysyters off holy places[d]. But thys was not obseruyd in my tyme In fraunce . And thys pryuilege by the canon lawe scholde housebonde men haue As longe As the be laboryng in the orderyng off there feldes And londes[e]. Lykewyse as sowiares haue in tyme off warre, Also clerkes & religiowse men lykewyse As longe as they be dewely occupyde in godis seruyce [**fo 77v**] And holy chyrche[f].

But perauenture the pryncypall captayne, As my lorde my mayster yerle off salesbery graunetyth som man a saluecondute after the foreme as I schewde afore, A nother ynglysch man onder hys obedience brekyth the saluecondute or placarde. In what wyse schall he be ponyschyd? For sothe he schall be ponyschyd at the Arbytrament off the cheffe lorde, as I sayde affore, thowghe hyt war soo that thys saluecondute war geven to a saracen or Iewe. For they that spoyle them in soche a case committ violent theffft & robry, As the noble doctor raymunds schewyth tochyng thys matter sufficiently, but herein he exemptyth clerkes or men off the chyrche, sayyng that they be not onder the iurisdictions of eny temporall prynce, for ther order ys specially deputyd (As he saythe) for the destruction off Iewes & saracens[g].

But now I put thys case. The kynge of ynglonde or hys principall captayne in normandy graunetyth some marchant off the cowntey off blese or ayne [**fo 78r**] geue a placarde or saluecondute to convey or to cary by the saye or londe a C tonne of wyne. The captayne of the towne of saynte machute in brytayne takyth thys marchant wyth all hys wynes apon the saye & so brekyth the saluecondute, notw[th]stondyng perpetuall peace sworne & conferemyd afore bytwene the sayde kynge off ynglonde & duke off brytayne. In thys case hyt ys askyd who schall make recompence for thys lossys of the wynes, the kyng of ynglonde by the reason he graunetyd the saluegarde, or the duke off brytan by the reason off the peace

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[a] C. 23 q. 1 c. 3
[b] X 24. 2; C. 28 q. 2 c. 2
[c] X 1. 34. 1
[d] C. 24 q. 3 c. 23
[e] Cod. 2. 50
[f] Cod. 1. 3
[g] Comment. on De raptoribus

conferemyd & sworne afore? To answere vnto thys brevely yow may say that after the marchant hathe made dewe sewtes & requestes to the sayde duke of brytan & can get no recouer there, than the kyng off ynglonde owght to prouyde some remedy that thys marchant haue no losse, & thys schall be by represalyyse grawntyd vnto hym the nature whereoff I schall schew here after folowyng[a].

And so hereby hyt apperyth that afore a man sew to [**fo 78v**] hys lorde that graunetyd hym the saluecondute for a recompence of hym, yff hyt be afterwarde broken he must fyrst sew to the lorde of that londe where his saluecondute was broken[b]. And yff he be necligent & woll see hym haue no Iustyce, Than he schall haue no recowrse to the lorde that grawnetyd the saluecondute whych schall prouyde hym these represalyyse afore namyd.

These represalyys be no more but a certen authorite geven in wryteng whereby he may lawfully make schyft the beste wayyse he can to recouer hys goodys loste. The foreme whereoff folowyth onder thys maner:

Henry by the grace off god, kyng off ynglond & fraunce, lorde off yrelonde &c to hys wel belouyd & feythfull cosyn Iohn duke off excitor, admyrall off ynglonde we send gretyng: be hyt knowne to your fidelite by these presentes, That thomas wylfforde marchant & cytesyn off london commyng afore the presence off owre noblenes, schewde most humebly vnto vs [**fo 79r**] *How he causyd dyuerse marchandyse of ynglonde, of the valew off ij C. li, to be browght to the towne off saynt machute in brytayn, & there (as he saythe) Iohn of b & Robert off S enterde feresly apon hym & hys goodes & toke hym as prysonar, kepyng hym onder stronge holde for the space off iiij monethys, ontyll at the last, by the grace & help of god, he scapyd clere owte off pryson from the hondes off hys enmyyse & soo came vnto ynglond to sew for helpe vnto owre hyghenes. We therefore graciowsly inclynyd vnto hys supplication not wyllyng that he, owre trew & feythfull subiect, scholde thys cruelly be intretyd to hys vtter losse wythowte other remedy prouydyd for hym, haue geuen hym lycence & full powre to take or cause to be take, where soo euer he can by londe or saye, so moche off the goodes off the brytonnes what so euer they be, those onely except to whome we have speciall saluecondute, ontyll* [**fo 79v**] *he be sufficyently recompensyd for the losse of the ij C li, considerynge that he hathe made sewte & grete requestes to the duke off brytayne & can get noo remedy. Wherefore we commaunde yow off yowre fidelite that none off yowres lett thys sayde merchant in eny wyse fortakyng off eny of these sayde brytonnes goodes, or to troble hym therefore, but for the reuerrence of owre Maieste, to assyst him therein wythe all the helpe, cowncell & favowre yow can, so that in no wyse the extende there hondes to eny soche*

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[a] Bartolus, De Represaliis; Cod. 1. 15
[b] Dig. 5. 1

brytonnes, to whome owre excellence hathe grawnetyd owre speciall letters, commaunedyng All & eche off yowre offycyars of the ynglysche sayye to attend diligently on the forsayde Thomas wylfford marchant & to fauor hym In the premissis.

The whych kynges letters, after they be present to the admyrall or hys substytute & receuyd, The sayde Admyrall or hys substitute be bownde to wryte as hyt becommyth them to all there offycyars & kepars of the sayye, the [**fo 80r**] poretes & passagys what so euer they be conteynyd w^th^in the borders & costes off ynglonde, schewyng vnto them, by wrytyng the kynges wyll onder thys maner that folowyth.

Iohn holand duke of excytor &c admyrall of the ynglysche sayye: To all & euery one of owre welbelouyd in god, ballyves of portes, kepars off the sayye & passages what soo euer they be, throwgh All the compass off ynglonde we send gretyng. Be hyt knowne vnto yow, that we haue receuyd wyth All dew reuerence we owght, the commyssion of owre souerayne lorde kyng henry kyng off ynglonde & fraunce &c onder maner & forme as here folowyth: henry by the grace of god &c, as was above wryten: by the Authorite whereoff & owre Authorite herein, we commawnde All the feythfull subiectes off owre sayde souerayne lorde the kyng & euery one of them, what so euer they be & we straytely charge them fauorably to assyst the sayde Thomas, Cytesyn [**fo 80v**] *And marchant off london, wyth all the cowncell & helpe they can, bycause hyt avaylyth nothyng to geue sentence or Iugement, but yff dew execution scholde folowe, wherefore we commaunde yow of your fidelites that yow take or cause to be take wythowte eny delay All sooche schyppes, marchandyyse or goodes of brytonnes that com by yow or your coostes. (those brytonnes goodes except whych haue salue condutes of the kynge) & that yow cease not fro takyng off the sayde schyppes & goodes ontyll yow have contrary commaundement from vs, prouydyd Alwayys that yow bryng or cause to be browght the schyppes & goodes of the sayde brytonnes so taken to some Notable portes, where the forsayde Thomas Marchant & cytesyn of london may haue sure knowlege off all the goodes soo taken. And that yow Iugge hym to haue the sayde schyppes & All other maner off goodes in them From tyme* [**fo 81r**] *To tyme vntyll the full payment off ij C li be come owte besyde recompence off ther dammage And losse that he hathe sofferd thereby, makyng bytwyxt yow eche to other a cowntes bothe of the delyuerance & Also of the receytes; moreouer certefyyng vs from terme to terme what yow haue done in the premissis. In wyttnes whereoff &c.*

These forsaydes be schewde by bartholl in hys treatyse he makythe as tochyng these represalyys afore namyd. And I say y[t] thys latter clawse off the comyssion (where as he saythe moreouer certeffyyng vs &c)[15] ys addyd vnto, les ther may be commyttyd some onlawfull exactions, And occasyon off moche Iniury Ryse thereapon[a]. But now As tochyng these goodes onder what maner they schalbe orderd, I say that hyt ys necessary that the Iugge (that ys to say the admirall) commytt by hys powre authorite to som personne to sell these goodes & wyth the money thereoff to [**fo 81v**] make satysfaction to the lesar to the valowre off the losse & for expensys besyde done in the same bysynes[b]. For there ys alway requyryd in these forsaydes the iuge hys authorite, And thys yow must vnderstonde to be trewe. But yff hyt be otherwyse expressyd in the fyrst commission. I say moreouer that in hys a cownte that dothe receue must be made deduction of the expensis whych be layde owte[c]. Off thys matter of represalyys I intend to wryte no farther by cause meny doctors off the lawe in dyuers placys hathe declaryd hyt moste largely, And specially bartholl in hys treatyce thereapon. Also Archediacon, After speculator, And Iacob de bello visu. Also Iohn andrew wyth mayster balde apon a certen autentyke declaryth the same. By whom yow may see yff yow lyst to know farther sooche thynges as wantyth here.

Here endyth the second booke & begynnyth the thyrde.

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[a] Dig. 1. 18; Cod. 8. 4
[b] Cod. 8. 33
[c] Cod. 6. 30; Dig. 35. 2

[15] In the text the parentheses are not closed

[**fo 82r**]

The Fyrst chapter

Off colowres paynetyd in aremes & off the noblenes off them & dyfference

After the sayyng off the noble Clerke Isodorus; a colowre whych ys callyd in laten tonge *color* hathe hys name geven hym off thys laten worde *calor* whyche betokenyth in owre ynglysche tonge hete[a]. For eny colowre comenly ys other perforemyd by the vertew off y[e] hete off the fyre, or els of the sonne; or els some say that thys worde color commyth of thys verbe in laten *Colo* betokenyng to make moche off or to sett gretely by, bycause oft tymes these colowres by the reason off the subtilite & purenes in them be very plesant to y[e] yye syght & so causyth men to sett great pryce by them. Coloures (as plyny saythe[b]) other come naturally off them selffe, or els they be made by crafftt. Colowres be made by payneters & dyers. These dyars be they y[t] be colorars off clothys, woll & other thynges, to cause them seme more clere & bryght to the yye, as the sayde Isodorus saythe[c]. Peyntars be they properly whych express & sett owte wyth colowres by crafte off pycture the similitudes And ymages off thynges. For a pycture ys callyd as [**fo 82v**] A fycture whyche ys as moche to say the facionyng or foremyng of eny thyng. Wherefore there be some pyctures made wyth sooche diligence & craftt off colowre that they excede the very bodyys they represent. The egiptions war the fyrst that fownde the crafftt of payntyng by drawyng the ymage off man by certen lynes and then puttyng to some one colowre playne & symple, As they had at honde, Then after dyuerse colowres as they cowlde gett & soo at last by labowre & diligence browght hyt to good facion & Forme. Whych maner the payneters folowe as yett: For fyrst The drawe a forme wyth lynes, as hyt war the schadowe off A man, & than to sett euery parte owte for the schew to be knowne distinctly one from an other; they Fyll hyt wyth dyuerse colowres, here & there, As they see necessary[d]. Wherefore when in the olde tyme men off aremes vsyd batell, And war so hyd & kouerd in ther harnes that when they wore hyt no man knew them, And so yff noble actes [**fo 83r**] War done by eny off them they cowlde not dyscerne who scholde be the dooer. Therefore these men of arems, by the craftt off payneters, made certen dyfference off ymages to be sett apon ther vtter garmenttes to be knowne by: Some off beestes, Some byrdes, some herbes & flowres, And some other sygnes & tokens off the whych I schall speke more largely in my process folowyng.

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[a] Isidore, Ethimologiarum, 18
[b] Pliny, Naturalis Historia, 35
[c] Isidore, Ethimologiarum, 19
[d] Isidore, Ethimologiarum, 18, de picturis

The second chapter

what maner off thyng a colowe ys.

A colowre (as the phylosopher saythe) ys the extremyte or owtewarde parte off clerenes or bryghtnes in eny bodly thyng able to be perceuyd by mannys syght[a]. Or els, other say hyt ys a qualite whych properly ys perceptible by syght. Howbehyt Aristotle saythe Also, a colowre ys a thyng that mouyth & chayngythe the syght after as the act of the bryghtnes ys; For lyght hyt selfe ys the act & perfection causyng eny thyng to appere bryght or lyghtsome, And so hyt bryngyth forthe the nature off eny colowre beyng in a myxt [**fo 83v**] body, throwghe the powre & dominion of some element therein. For thowghe a colowre naturally & essentially be in a myxt body, yet hathe he no powre to schewe hymselffe but by lyght whyche schynyth actually apon the ouerparte of hym. And soo colowre forto schew hymselffe owtewarde hath nede alwayse of lyght; but not econtrary wyse, For lyght hathe no nede off colowre to schewe hymseffe thereby. So as colowre nedyth lyght actually beyng, for wyth owte lyght colowre cannot be dyscernyd. And yet lyght schalbe perceuyd of hymselffe wythowte helpe of colowre. Soo that sooche lyght whyche ys inpressyd in the organ of the syght ys not causyd by the means of colowre. And therefore some holde that the cause whereby A man seythe enythyng ys principally by the reason of lyght & not by the reason off colowre, & that ys prouyd by thys wyse: let lyght be ones take away & than the thyng that beryth the colowre schall neuer be perceuyd thereby [**fo 84r**] What hyt ys.

Neuerthelas thys ys trewthe that when lyght ys gone yet colowre hathe hys actuall beyng, soo that hyt cannot be denyde but that colowre ys in hys essence, thowghe by the reason of darkenes hyt cannot be dyscernyd. For lyght ys not that thyng whereby colowre ys create & made, soo that off hyt he hathe hys beyng[b]. But hyt commythe In to the body that ys myxt wyth the iiij elementes, by the reason of that element whych berythe there moste rule; for there ys nothyng but ys made of the iiij elementes. Howbehyt some element hathe more dominion in euery body than other & soo by the reason of that element whych hathe moste powre, the body schall take hys colowre moste principally off hyt; & that ys the cause that some bodyys appere red, some whyte, some black after the vertew off the element that hathe moste dominion in them. But as I sayde afore, thys colowre cannot be dyscernyd wythe

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[a] Aristotle, libro metheorum

[b] Commentator in 2 li. de anima. De immutatione visus & coloris; auctor perspective li. pr. ca. ultimo

mannys yyen but throwghe lyght & that by thys means the lyght whych ys a brode castythe hymselffe apon the colowre & gevyth a forme to hym, whereby [**fo 84v**] He receuyth hys kynde to be perceuyd & knowne. For none of the v senses or wyttes can haue perfytt operation wythowte hys obiect, that ys to say a thyng sett ayenst hyt, & w^{t}owte a mene by twyxt the thyng & the sence: as in an exameple of the sence of heryng, A man heryth not but by y^{e} reason of sownde ayenst hys erys, & but yff some mene war bytwyxt hys erys & the sownde, as the ayre, he scholde not here. Also in syght there must be an obiect, that ys to say a thyng to be lokyd on or sene, whych cannot be sene well but some mene be bytwyxt the syght & hyt. For put hyt close to the syght that ayre cannot comme bytwene, Than the thyng schall not be sene then but rather confounde the syghte, And therefore by lyght whych ys obiect ayenst the colowre in the ayre whyche ys intermediate bytwyxt them. The dysscernyng off the colowre & hys dyfference commyth to the organ off the syght wherefore colowres, be hyt neuer so darke, haue there essence & beyng thowghe they schewe not themselffe to the syght wythowte lyght. For the whych cause some authores saye that lyght ys not requyryd [**fo 85r**] For the syght off colowres but for one of these ij causes. Other bycause wythowte lyght the Foremes and bewtynes off the colowres extendyth not themselffe in the ayre, or els yff they be extendyd in the ayre yet they haue no operation towarde mannys syght to cause men to perceve them but by y^{e} reason off lyght. And so lyght ys not requyryd for y^{e} essence & beyng of colowre, as for to say colowre cannot be in no wyse wythowte lyght, for that ys False. But lyght ys requyryd onely for the schewyng of y^{e} colowre, for wythowte hyt els hyt ys not able to be perceuyd, And thowghe hyt be soo y^{t} colowre cannot schew hymselffe in dareknes, yet hyt ys not to be cownetyd than as a superfluus & vayne thynge For the colowre dothe hys nature & effect in y^{e} body & substance he ys in neuerthelas. For in that y^{t} hyt cannot be sene in darkenes, hyt ys not throwghe y^{e} defaute off the colowre, but throwghe the fawte of the personne whych ys notable to receve thys colowre to hys syght, bycause he hathe not than y^{t} disposition in hym whyche he [**fo 85v**] owght to haue.

Wherefore yff some clerkes woll holde neuerthelas that colowre ys not in act or dede w^{t}owte lyght, hyt may be vnderstonde as tochyng the act of schewyng hymselffe owtewarde so y^{t} hyt cannot be sene wythowte hyt, but not as concernyng y^{el} act off essence, so that wythowte lyght colowre ys not nor hathe hys being, for y^{t} ys fals, as I sayde afore. Colowre ys neuer the las thowghe haue no lyght, but y^{e} lyght ornatyth & makyth fayre & beawtyfull, schewyng y^{e} colowre open & playne to the yye wych was a colowre afore, but not able to be perceuyd wthowte presence of lyght. And yet I say the lyght ys not y^{e} cause y^{t} makyth thys

[1] In the text "y"

colowre pryncypally. I mene sooche lyght as ys owtewardly here infusyd apon euery thyng, thys causyth not colowre, but the powre off y^e^ lyght off heven peresing y^e^ interior partes of eny thyng w^th^ y^e^ operation of y^e^ iiij elementes, thys causyth & bryngyth forthe colowres. And after they be so genderd & browght forth in there kynde, than thys other Secondari lyght whyche we [**fo 86r**] se here clarifythe them & so causythe them appere fayre & bryght to owre yye.

The iij^d^ chapter

Off the generation off colowres.

The Mater off eny visible thynge by y^e^ reason off the element y^t^ beryth dominion, other hyt ys dry, or moyste, or els myxt, dry & moyste to gyther: yff that drynes have moste strength in eny substance, than yff hete haue hys operation in hyt moste y^e^ colowre off whyte schall be genderde. For y^e^ hete scateryth & dysgregatyth the partes off y^e^ mater very sotelly & thereby hyt gendryth clerenes; wherfore the phylosopher saythe[a], whytenes ys gendryd throwghe y^e^ scantnes of moystenes in a dry substance or matter, by the reason off the dominion off hete workyng sotelly therein, As hyt apperyth in lyme, chalke & bornyd boones, & other lyke. Yff colde haue moste dominion & soo workyth in eny materiall substance y^t^ ys drye than the colowre off blak ys engenderde. For hyt bynedyth, thykkyth & stuffyth Faste to gyther the paretes off the dry mater & so makyth hyt darke & obscure; for obscurenes [**fo 86v**] & darkenes ys a priuation & takyng away, not onely of lyght, but also off colowre, lyke as clerenes ys A disscernyng of lyght & colowre bothe. Yff y^e^ materiall substance be moyste, than yff hete haue the dominion the colowre off blak ys engendred also. For the hete so wastyth & bornyth the moyste that hyt causyth hyt to haue as yssew owte fulsome & blak, As yow se in grene woodde when hyt borneth how from y^e^ endes yssewyth owte blak humors, by cause the moystenes of y^e^ woode ys ouer weke to resyst y^e^ hete off the Fyre, & yet hyt ys not schortly consumyd but rather hyt strenght & norischyth the Fyre, for A moyste thyng ys moste cheffe for fyre to worke & labowre hymselffe on, soo that by the workyng off the hete to subdewe thys moystenes the waterysch humors & vapors voydyth owte ontyll at y^e^ last they leue no moystnes but that whych ys erethethy & grosse, whereby necessarily must blak be engendred, As yow se by experience in coolys. But now agayne yff the moyste mater or substance cold haue the [**fo 87r**] dominion & ouercome the other elementes Than the colowre off whyte schalbe engenderd, as hyt apperyth in frost & snowe & horenes, Also in flemmatyk thynges. And a moyste thyng in somoche as hyt ys clere of hymselffe, hyt ys more apt to receve a noble colowre: whytenes therefore ys engenderd by a

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[a] Aristotle, De animalibus, c. 19

vaporowse ayre declynyng to a watery moystenes by the operation & workyng off colde moste in hyt. Yow woll ask perauenture than how ys hyt y^{t} a flame off fyre ys whyte as we se meny tymes. Thys ys by the reason of y^{e} sotelte off the mater off y^{e} ayre wheryn the vapowre of y^{e} fyre schynyth. But yet sooche whytenes ys not to be callyd properly a whytnes for hyt ys not naturall, but transsumptyue.

We haue now sene how ij the cheffe & principall colowres, that ys to say blak & whyte, be producyd & genderde but as towchyng the noblenes of them more schalbe declaryd in owre processe folowyng. There bene certen Authores whyche holde that lyght ys of the substance off colowre. And they say y^{t} colowre ys a lyght incorporat to a visible thynge, for that whych ys visible hathe these differences; other hyt ys pure & clere **[fo 87v]** off hymselffe wythowte eny grossenes off erthe, or els hyt ys onpure myxt wyth thys grossenes. Lyght also ys considerde iiij maner of wayse; other hyt ys clere or darke, Small or mooche. But heryn be ware to take or vnderstonde lyght to be moche or grete by y^{e} reason y^{t} hyt extendyth far or brode in compasse, for I mene not by lyght soo when I speke of y^{e} gretnesse of lyght, but I mene where As hys vertew & powre ys grete, As in an holow glasse, yff hyt be holde towarde y^{e} sonne y^{e} lyght gatherth alway to y^{e} mydde parte off wythin, for thowghe hyt Fallythe apon y^{e} owtewarde partes yet they bete & torne hyt bak ageyne to y^{e} myddes. Whereby y^{e} reason y^{t} hyt gatheryth hole to gyther in to one poynte, hys powre & vertew ys moche more stronger & inflameth y^{e} glasse atones, so y^{t} yff a man put eny combustyble thyng, y^{t} ys to say eny thynge able to be borenyd vnto thys lyght than hyt settyth hyt afyre atones. Hys powre ys so grete & stronge there wherefore yff clere lyght & grete after thys maner Fall a pon a pure visible substance hyt engenderth whyte. For whyte ys a colowre engenderd in a pure visible substance **[fo 88r]** by clere & moche lyght. And yff lytyll lyght & dymme fall on a onpure visible substance than y^{e} colowre off blak ys engenderde. These be declaryd by aristotell & auerrois whyche say that blak ys a priuation or takyng away of clerenes, & whyte ys y^{e} schew & forme thereoff to make hyt appere y^{e} more beautyfull in syght.

And so after thys vnderstondyng there be v colowres descendyng from whyte, drawyng by lytle & lytle to the blak. And lykewyse v colowrs nere the blak, Ascendyng by lytle & lytle to y^{e} whyte ontyll one of y^{e} v colours descendyng frome y^{e} whyte to y^{e} blak mete to gyther. Wherefore by thys consideration there scholde be xij colowrs in y^{e} hole, y^{t} ys

to say ij principall colowres by them selffe blak & whyte, & then x othe coloures ioynyd to them, v descendyng from y^e^ whyte to the blak by incresyng more & more eche after other, & v Ascendyng vpwarde from blak to whyte batyng & minischyng of y^em^ selffe ontyll at last they come in the myddes vnto one colowre. And some call these as [**fo 88v**] principall colowres, but not by themselffe but by chaunce. Other call these as mene colowres in the castyng whereoff be in a maner Infinite degrees After the rysyng & batyng more & lasse of y^e^ colowres.

[2]As experience schewyth yow may conclude therefore schortly by the premyssis y^t^ colowre ys a qualite or properte lefft apon the ouerparte of a visible body throwhe the nature of y^e^ iiij elementes myxt therein. Whyche qualite or properte by y^e^ menys of lyght ys actually presentyd to y^e^ syght, for w^t^owte lyght colowre dothe actually torne y^e^ organ of y^e^ syght. And thowghe coloure of hymselffe ys inuysible, yet y^t^ ys not throwghe hys owne defaute, but throwghe[3] the impotency & defawte of y^e^ organ of y^e^ syght, bycause w^t^owte lyght hyt ys not able to dispose hymselffe to receve the colowre. Hereby therefore hyt ys euident y^t^ whyte ys a colowre engenderde in a pure visible body throwhe clere & moche lyght, wherfore the clere y^t^ y^e^ lyght be in the mater of thys pure visible body, the whytnes schalbe in y^e^ more hy degre. [**fo 89r**][4] The materiall cause therefore of whytenes ys a vysible substance, pure & clene w^t^owte eny commixtion of grossnes or fylthynes of y^e^ erthe whych ys now drye & now moyste. The cause efficient, y^t^ ys to say the thynge y^t^ workyth hyt & bryngyth hyt to effect ys hete or colde. For yf y^e^ mater be hote by the reason of y^e^ elemente whyche beryth moste rewle in y^e^ myxt body, as yf Fyre haue dominion above y^e^ other elementes than y^e^ colowre of whyte schallbe engenderd by y^e^ reason of y^e^ grete strength that y^e^ hete hathe to make sotell & claryfye y^e^ paretes of y^e^ mater & substance hyt ys in, As I schewde afore In bornyd boones & lyme. Yff y^e^ mater war moyste & colde had y^e^ dominion in hyt than whyte schall be engenderde ageyne, as apperyth in snowe: for the Phylosopher saythe[a], whytenes ys gendred throwghe a vaporowse ayre declynyng apon a waterysch moystenes, throwghe y^e^ operation of colde, for y^e^ nature of colde ys to make a moyste mater & substance whyte, & a dry mater to make hyt blak. And y^e^ nature of hete ys clene contrary, for hyt makyth a moyste mater blak & a dry whyte. But [**fo 89v**] In no colowre be grownedyd soner the mene colowres than in whyte. And y^e^[5] more hy y^t^ whyte ys in hys degre & the purer hyt ys, y^e^ faster & surer schall

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[a] Aristotle, De animalibus, c. 19

[2] The chapter "*De colore albo*" begins here in Bysshe's Latin edition, p. 102
[3] In the text "but throwghe but throwghe"
[4] fos 89 -99 is one folio
[5] In the text 'y y^e^'

hyt take & kepe soche mene colowre as ys layde on hyt, whyther hyt be red, grene or eny other colowre. There perteynyth to thys colowre iij thynges: bryghtnes or a glosse, whytenes, & lyght.

From thys descendyth downe v mene colowres, As I sayde afore. The yelow colowre, The blewe, the red, The purple, & y^e^ grene; whyche by degrees lytle & lytle drawyth towarde blak. Of all y^e^ whyche colowres, by y^e^ grace of god I schall schew afore I speke of y^e^ blak colowre, For thys ys y^e^ seconde pryncipall colowre from whom Ascende v other colowres mene by lytle & lytle commyng to y^e^ whyte, as Gray, marble, Rosset, Sorell, & doonne. And soo we haue here nowe xij colowres wyth y^e^ principalls, whyte & blak, perteynyng to y^e^ cotearmors & for armes. Lykewyse as aron hys cote In the olde testament was made of these xij colowres, wyth y^e^ whych xij colowres acorde xij precyowse stones, of whome we schall speke largely here Folowyng[6].

But now yf yow woll enquyre farther **[fo 100r]** of y^e^ whyte colowre, wherfore among All other colowrs hyt ys worthyyst, I Answer y^t^ hyt ys for dyuers causys. Fyrst hyt ys moste noble bycause of hys pryorite, for hyt was afore All other colowres & that ys prouyd by thys reason: euery priuation presupposyth a posession afore, that ys to say, a thyng cannot be taken away from one but y^e^ thyng muste be had afore. Wherefore seyng y^t^ phylosophers holde y^t^ blak ys priuation off whyte, than whyte must be nedes afore blak.

Also whyte ys the noblerer colowre for thys reason: a colowre ys ordend for a schew, but whyte schewyth & may be sene farther than eny colowre, as experience schewyth, Therefore hyt ys y^e^ worthyer. Forthermore hyt ys y^e^ noblerer colowre for apon hyt all other mene colowres be growndedyd moste surely & strongly, And thys ys schewde as well by y^e^ phylosopher[a] As by mayster bartholl in hys treatyse of blasyng off aremes[b]. Also hyt ys schewde by Plyny, Isydor, & bartholomew de platea in sooche placys as they create of colowres. Moreouer by thys reason the whyte colowre ys to be preferryd, For by hyt ys signifyed lyght, **[fo 100v]** To the whych darkenes ys contrary, y^t^ betokenyth & representyth blak. But y^t^ whych ys signifyed by darkenes ys not soo worthy, As that whyche ys signifyed

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[a] Aristotle, De sensu & sensato, capitulis preallegatis

[b] Bartolus, de Armis pingendis

[6] In Bysshe's Latin edition there is more information on Aaron's coat of arms, which Blount has either not translated, or was not in his exemplar. I include the passage below:
"sicut tunica Insigniorum *Aaron*, in *Exod. 28. c.* quibus quidem coloribus coaptntur 12. lapides preciosi: *ut in eodem c.* De quibus tamen coloribus, quam lapidibus preciosis, latius dicetur in sequentibus. Item qualia Arma aut insignia portabant 12. tribus filiorum *Israel*, tradunt Hebrei hec suisse. In *Ruben*, mandragora. In *Simion*, hasta. In *Levi*, archa testamenti. In *Juda*, Leo. In *Ysachar* asinus. In *Zabulan*, navis. In *Neptalim*, cervus. In *Gad*, leena. In *Joseph*, taurus. In *Benjamin*, lupus. In *Dan*, serpens. *Asher* ante edes habebat peluem, & desuper obumbrantem olivam. De Istis scribitur *Numer. ca. 2.* super verbo, *signa atque vexillo*".

by lyght. Therefore whyte ys y^e^ noblerer. Of thys ys more largely spoke in the seconde parte of the proheme off the dygestes by doctors[a] & therfore I let hyt passe.

To thys whyte coloure ys appropryat a certen preciouse stone callyd berall, of the whych be xij kyndes As Isydor saythe. But that byrall ys best whyche ys of a watery[7] colowre, After the maner of Crystall. The vertew of thys stone ys to make hym y^t^ beryth hyt to avoyde grete parells & dayngers of hys enmyys & in stryffes of warrys not to be ouercome. Also hyt endewth one wythe goode wytt. Yow schall see more off hys vertews (yff yow lyste) in the lapidary off one callyd Marbodius.

The iiij^th^ chapter

Off the generation off mene colowres.

There be meny degrees intermediate bytwene whyte & blak acoredyng As the strengthe ys off the dominion off the actyue & passyue qualites. **[fo 101r]** For yf so be eny mater conteyne moste of drythe in hyt soo that drynes bere in hyt cheffe dominion, than hyt woll be harder to be clered & puryfyede bycause hyt ys very thyk & sownde, & soo whytenes w^th^ y^e^ more difficulte schalbe engenderd. Also yff the drythe be grete but y^e^ colde more grete. The more schall blaknes be engenderde a grete dele, by the reason off the compaction of the partes so faste to gyther whych Inducyth darkenes & takyth away lyght. Lykewyse ys to be sayde of moyste for yff hyt be very grete proportionably wyth hete, soo that hete haue sommot the dominion, than the sume schalbe the greter And the more darkenes & blaknes be producyd & causyde. Also the more powre y^t^ moystenes beryth soo y^t^ colde proportionably growyth in dominion wyth hyt, The greter schall be y^e^ colowre of whyte & the purer. Yff so be moystenes haue grete dominion & hete very lytle, than y^e^ blak schall sommot bate of hys colowre. And soo lykewyse where As moystenes ys grete & colde hathe very lytle powre, whyte schalbe batyd & dymyschyd of hys colowre. Forthermore yf moyste **[fo 101v]** be but sommot metely & the dominion of hete very moche Than grete blaknes schall be engenderde. Neuerthelas sometyme hete gendreth whyte in y^e^ moyste, As in the whyte off an egge when hyt ys rooste, but that ys by the reason of y^e^ schell y^t^ preseruyth hyt from the Fyre, but yff the fyre myght immediately towche hyt, than no dowte that whych ys whyte schold be blak.

The v^th^ chapter

Off the golden or yelow colowre

Arystotell saythe y^t^ there be v mene colowres onely, Whose nomeber & sufficiente may be taken After the combination of whyte & blak to gyther to y^e^ generation of them, by

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[a] Accursius, in proheme F. in secumda parte

[7] In the text 'awatery'

cause that whyte & blak be requyryd to be concurrent equally bothe to gyther for to make a mene colowre. For than y^e^ mene colowre schalbe equally dystant bytwene thes ij extremes, blak & whyte, As in thys colowre blewe or redde. But bytwene whyte & red can be but ij, one more ny vnto whyte & a nother more nere to y^e^ red. Also bytwene Red & blak can be but ij mene colowres, One more Agreyng wyth the Red, & a nother more w^th^ **[fo 102r]** the blak. And so After Arystotell meny colowres cannot be intermediate bycause there cannot be a colowre bytwene blak & red that scholde be equally dystant from bothe of them trewly. For yf a colowre scholde be put bytwene whyte & redd hyt scholde haue iij quarters in hym of y^e^ whyte & but one off black. And so lykewyse y^e^ colowre equally dystant bytwene black & redd scholde haue iij quarters of y^e^ black & but one of y^e^ whyte. And soo there scholde not be equall dystance trewly but by apparence.

But yow may say herein y^t^ the golden colowre or yelow colowre hathe iij paretes off whyte & one black & therfore yelow ys moste nere vnto y^e^ whyte of all the other, whych causyd doctors to put y^t^ colowre As fyrst among all the mene colowres descendyng frome whyte & drawyng toward black. Thys yelow colowre after y^e^ mynde of Auycenne ys gendred in a temperate mater throwhe the respect of a more vyle colowre, y^t^ ys to say grene, for the grene colowre whych ys in plantes And herbes in the sommer, hyt torneth in haruest & toward wynter to yelow, for whan there ys more moyste mater in the leves than grose than by y^e^ operation **[fo 102v]** off hete by lytle & lytle hyt ys consumyd, but not otterly destroyde thowghe y^t^ colde haue dominion. For yf colde haue dominion in a mene or temperate mater that hathe not to moche of eny element, hyt must necessaryly engender A mene colowre. And bycause hyt may soner torne moystenes than drynes therefore hyt engenderth a mene colowre, hauyng moche more off the whyte as the golden And yelow colowre ys. Thys mooche saythe the phylosopher As towchyng thys colowre.

Neuerthelas yow must be ware here, off the example that bartholl makyth in hys booke of blasyng of aremes, whych dothe lyken the golden & yelow colowre to lyght, sayng that for preciowsenes of hyt No man owght to were golden clothes but prynces or other by there lycence[a], For thys cannot be trewth that yelow scholde be lykend to lyght: For whytenes, As I sayde afore, ys a colowre genderd in a pure visible substance throwghe

[a] Bartolus, de Armis pingendis

mooche & clere lyght, And yff the lyght be lytle & darke than the colowre of black must nedes be engenderd & not the colowre of y^e^ ayre, As the phylosopher saythe & y^e^ commenter auerrois Also, whych put black to be priuation of lyght & whytnes [**fo 103r**] the forme & habyt of hyt.

Wherefore bartholl made An yll similitude, for All maner of lyght other hyt ys clere & so hyt ys whyte or els hyt ys dark & soo hyt ys black, or els ageyne hyt ys moche & grete & so hyt ys whyte or lytle & scant & so hyt ys black. Off these spekyth the phylosopher in dyuers placys[a]. Forthermore there ys generation off mene colowres After y^e^ proportion off the ij principall colowres. And the better proportionate that they be, the more delectable they be to beholde & y^e^ more parte y^t^ they take of whytenes y^e^ noblerer they be. Also some mene colowres be genderd (As bartholomew of propertes of thynges saythe[b]) After there owne differences off proportions but thys we schall let passe.

Of thys colowre yelow Aforesayde, y^e^ Emperowre of Rome hys aremes owght to be made. And whosoeuer be chosen hereafter Emperowre[8] owght to were y^t^ colowre in aremes, For he schall bere a spleyde Egle sables in A felde of golde. But here yow wol ask perauenture what ys y^e^ cause y^t^ he beryth y^e^ yelow colowre & not the whyte, seyng that whyte ys the moste principall colowre & y^e^ Emperowre scholde be seruyd w^th^ y^e^ best & cheffe off [**fo 103v**] All, For the lawes spekyth of hym y^t^ As god ys in heven, So ys y^e^ Emperowre in erthe.

But yow may answere here to y^t^ golde of All metalls ys moste noble And myledyst. And bycause hyt becommyth not an Emperowre to be ferse & cruell in hys dedes, but meke & graciowse, therefore the Emperowre hymselffe chose thys colowre vnto hym for a temperament & moderation. But now than wherefore beryth he the egle blak splede & set owte abrode, yow may say y^t^ ys bycause in hys dedes of iustice he scholde be indifferent, not declynyng more to one parte than a nother[c]. And Also, As the Emperowre Iustinian saythe, bycause he must As well geue hymselfe to warres forto defende y^e^ Empyre As to makyng of lawes to order the comen welth[d]. And y^t^ black colowre in the Egle betokenyth he scholde not be Alway to meke & soft, but some tyme cruell & terrible, After as occasion fallyth as I

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[a] Aristotle, De animalibus, 2; De sensu & sensato, 8
[b] Bartholomaeus Anglicus, De Proprietatibus Rerum, de consonanciis, 8
[c] Dig. 14. 2; Cod. 7. 37
[d] Instit. in principio prohemii

[8] In the text 'Empowre' (no mark to expand the 'p')

schall schew hereafter. Ye woll yet enquyre why he beryth y^e^ egle more then eny other beste. That I schall schew yow to hereafter in the chapter where As I treate on the egle.

Now to torne to thys yelow [**fo 104r**] & golden[9] colowre, there ys a preciuse stone of y^e^ same colowre callyd a topase. And the scanter that he ys, the more preciowse he ys. When he ys towchyd wythe the sonne beame than he passyth far the bryghtnes of all other preciowse stoones. Yff yow labowre to polysche hym than yow make hym to be more darke. Hys vertew & powre ys greate ayenst the lunatyke passion. Thys moche saythe marbodius of hym in hys lapidary. Also diascorides wyth other doctors. Moreouer Isydorus sayth y^t^ thys stone taketh away powre from onys enmy that he schall not hurte hym & hyt makyth the berar hardy & bolde.

The vj chapter

Of the blewe colowre

Amonge the meane colowres desscendyng from whyte to black, the azoure or blewe colowre ys the second next in descense. Thys begynnyth from the whyte & growyth owte of kynde from hym [**fo 104v**][10] To a lytle blacknes. Hyt ys engenderd by chaunce & casualte, As of fere ouermoche troble & labowre & for other causis whereby the hete ys dreven to the inwarde partes whych ys for feblenes or lack of bloode, for that makyth y^e^ vtter parte off y^e^ sckynn wanne & blewe; As ye may se in sooche personnes As be sluggysche & geven to ouermoche slepe & in men that be amorowse, that ys to say lovesyk, For in these personnes the spretes of y^e^ harte be very weke & therefore nature, to norysch & restore them, plukkyth back y^e^ hete from y^e^ owtewarde partes to the Inwarde Ande so causythe by subtraction of the hot Bloode the sckyn too seyme pale Ande wanne.

[**fo 105r**] Thys colowre ys callyd the hevenly colowre bycause y^e^ ayre hathe moste dominion In the ouer parte of y^e^ pure & clere uisible substance, as hyt aperyth in saphyres whych preciouse stoones resemble moste trewly thys azoure or blewe colowre. The saphyre hys nature ys to take Away envy to expell fere, to make one hardy & victoriouse, to strength a man hys mynde in goodnes, & to make the berar, meke, lowly & Ientyll & thys I thynk hys vertew ys to doo rather by dysposition than by effect, soo y^t^ hyt schall move & inclyne a man & dyspose hym y^e^ soner to hyt therby. Also hyt sleyth venome & poyson; for as diascorides saythe, yff a man put a spyder w^th^in a box & lay a Saphyre stone on the coueryng, hyt schall wythin a lytle space destroy & slay y^e^ spyder. Forthermore doctors agre herein that thys stone hathe principalle powre & vertew when that hys berar ys chaste of hys body & therfore they councell lest hys effect may be lost throwghe y^e^ onclennes of y^e^ berar y^t^ he whych scholde were & vse hyt scholde be continent & chaste. Thys stone ys gretely convenient for

[9] In the text ' yelow [**fo 104r**] yelow & goldeden'
[10] The last two lines of this folio are in a different hand

byschoppes & men of y^e^ chyrche whych owght to passe All other in chaste lyvyng. And thys colowre ys lykenyd vnto polyschyde yron, wherewyth the Emperowre of Rome owght to be crownyd **[fo 105v]** As doctors say, fyrst or euer he be crownyde w^th^ eny other metall[a], For by yron ys betokende strengthe, wheryn y^e^ emperowre owght to excell all other prynces & w^th^ hys rod of yron to resyst hys rebellyous & infidels. Moreouer thys blew or azoour colowre was sent from god by an aungell to charelemayne, y^e^ frenche kynge, to be as the felde of hys aremes; As ys schewde In cronicles how an Aungell browght a schelde w^th^ a felde of azowre & iij flowre delyce of y^e^ colowre of golde, but I schall let to speke more of thys mater, remyttyng yow to frowssarde yf yow lyst to knowe eny largelyer herein. & mention ys made hereoff lykewyse in the decrees[b]. Also of thys blewe colowre how hyt was send from god, mention ys made in a certen booke of hystorys callyd *speculum historiale*[c], where As ys tretyd on the meruelowse dethe of Iulius y^e^ apostata & how saynt Mercury was reasyd from dethe, to whome was geven by an aungell all maner of Armowre necessary for a man of aremes w^th^ a schelde of azoour & a floryschd crosse in hyt & iiij golden Roosys, bycause he myght vayneqwesche y^e^ sayde Iulius y^e^ apostata throwghe y^e^ powre & strength of god, & soo in very dede he dyd slay hym As he was cryyng w^th^ a lowde voyce y^es^ wordes, *vicisti galilee vicisti*, y^ou^ hast wone y^e^ felde thow man of galile, thow hast wone the felde. **[fo 106r]**

Off the redd colowre

There ys another colower mene & equally dystant bytwene y^e^ ij extremes, whyte & black, whych ys y^e^ thryd colowre callyd red, descendyng frome y^e^ whyte & growyng towarde black. Thys colowre rysyth in the owtewarde partes of a pure substance throwghe y^e^ incorporation of clere, fyry lyght to the generation whereoff be concurrent moche sotell lyght, bryghtnes & fyre, wyth equall mesure of black & whyte. But yet throwghe fyre & lyght whych dilatyth & puryfyth the myxt partes of thys clere substance, hyt hathe y^e^ more conformite wyth whyte than blacke & therefore y^e^ colowre whych ys excedingly red. After y^e^ maner of flame hyt scateryth & dasellyth y^e^ syght, So y^t^ hyt cannot gather to gyther to setell hyt selffe stedfastly As y^e^ colowre of black dothe: wherfore crafty sellars of cloothes

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[a] X 1. 6; Hostiensis, de verborum significationibus; Speculator, de rescriptis
[b] 68 d. Aldrianus & 23 q. 8. ortatu
[c] sub rubrica de mirabili nece Juliani apostate 15. 43

meny tymes hang red cloothes afore other y^{t} be colowred bycause throwghe y^{e} lokyng of them y^{e} syght schalbe so daselde y^{t} y^{e} byar schall not be able well to dyscerne trewly other colowres[a]. Thys colowre ys requysyt for a prynce or some hed captayne of a grete hooste for hyt betokenyth fersenes & therfore hyt ys geven vnto them, bycause in y^{e} corrections & Also ayenste there enmyyse they scholde be ferese & cruell in tyme off warre, As I schall schew more hereafter.

Thys red [**fo 106v**] colowre ys lykenyd moche to a preciowse stone callyd a Rube, for lyke as a bornyng cole schewyth hymselffe bryght & schynyth In the nyght or be hyt neuer so darke, soo dothe thys stone; As hyt war aflame, cast ayenst y^{e} yyse of y^{e} lokers. And[11] ysidorus saythe they y^{t} schyne & cast there beames moste gretely As fyre, they be y^{e} noblerer & more preciouse than other[b]. The vertew of hym ys yff he be caste in the fyre he lesythe hys bryghtnes & semyth as hyt war A dede cole, but yff yow cast water on hym he woll schew hymselffe ageyne lyke A brennyng cole. There ys another preciowse stone lyke vnto thys Rube callyd a balasse, very red & bryght, whyche ys now a dayse taken for y^{e} noblerer & better stone; bothe by y^{e} reason of hys gretenes & Also for hys goodnes & vertew. Diascorides saythe hyt ys of y^{e} kynde of a Rube but hyt ys fownde in y^{e} vayne of a Saphyre, by y^{e} reason y^{t} hyt casstit from hyt to mannys syght, As hyt warr the maner of a sparcle of fyre yff a man diligently beholde hyt[c]. But now to retorne to thys red colowre: off thys colowre be y^{e} aremes of y^{e} kyng of ynglonde, whyche berythe iij lyons passant in a Red felde, & these be y^{e} olde aremes off y^{e} kyng off ynglonde. But sens y^{e} dethe of ysabell, y^{e} qwene of ynglonde whyche was y^{e} frenche kynge hys dowghter & heyre & mother to Edwarde y^{e} thryd, [**fo 107r**] Than thys Edwarde as very trew enheritor of y^{e} realme of Fraunce bore y^{e} sayde aremes wth y^{e} aremes of fraunce quarterde. And here ys one stronge reason wherefore y^{e} kyng of ynglonde beryth y^{e} aremes of Fraunce[12]. Another reason ys bycause prynce Edwarde, y^{e} fyrst sone of y^{e} sayde kyng Edwarde y^{e} iij^{d} toke kyng Iohn y^{e} frenche kyng prysoner At y^{e} batell of poyters & Afterwarde browght hym As prysoner to ynglonde, w^{t} grete triumphe & honowre the xixth day of september y^{e} yere off owre lorde god

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[a] Aristotle, De sensu & sensato
[b] Isidore, Ethimologiarum, 16. 13
[c] Instit. 4. 1

[11] In the text 'AndAnd'
[12] In the text 'Fraune'

a m ccc & xlvij. Wherefore hyt was lawfull for y^e^ sayde Edwarde & All hys heyres folowyng to bere the same aremes[a]. Howbehyt I schall speke more of thys mater hereaffter In y^e^ chapter off the leon.

Off y^e^ purple coloure

Thys purple coloure hathe more off y^e^ red than the whyte, but yet hyt declyneth more to whyte than to black. Thys coloure therfore ys y^e^ iiij^th^ colowre descendyng in order from y^e^ whyte to y^e^ black. Y^ere^ be fownde certen schell fysches in y^e^ say whyche be off thys colowre; they be very small & yff yow cut them At y^e^ endes they [**fo 107v**] woll sched owte certen dropes lyke bloode, off y^e^ whyche diligently gatherde ys made thys purple colowre & wythe hyt garmentes be dyde whych serue for Emperowres & kynges, As y^e^ cyuyll lawe makyth mention off[b]. Also y^e^ maner how these fysches schall be cawght ys expressyd by a certen process of y^e^ lawe. Thys purple colowre meny tymes ys engenderde in a mannys body, As when one vsyth moche wyne & specially stronge wyne; For y^e^ hete & strenghthe of y^e^ fumosite of hyt drawyth to y^e^ vtter partes & soo to the sckyn & y^t^ causyth thys colowre, for thys colowre ys the proper colowre off bloode. Thys purple coloure ys causyd sometyme Also throwghe y^e^ spretes of man; As dyuerse tymes in angry personnes, & y^t^ ys when y^e^ hart ys moche dylatyd, than mooche hote brethe & wynde ys gatherde whych sodenly, by y^e^ reason of y^e^ greate quantite of hyt & also bycause y^e^ harte ys so enlaregyd & bolne, schotyth to y^e^ vtter partes makyng them hot & so thereby causyth y^e^ sckyn to seme lyke purple. Neuerthelas sometyme throwghe y^e^ lack of hot wynde & sprete the cowler ys pale, as apperyth in amorouse & ferefull personnes In whome bycause y^e^ harte schrinckyth to gytherthe blode & y^e^ spretes schote inwarde to comeforte y^e^ harte [**fo 108r**] & therefore y^e^ sckyn bycause of ther absence remaynyth pale & wanne, off thys spekyth y^e^ poete ovyde[13] & Also bartholomeus de platea in hys treatyse apon colowres.

As consernyng thys forsayde colowre y^ere^ ys a precyouse stone correspondem vnto hyt callyd an Amatiste, whyche (as ysidorus saythe) amonge all purple stones ys moste principall. Hyt ys myxt sommot wyth y^e^ violet colowre & bryghtnes off y^e^ rose, castyng From hym as hyt wer certen small flames of purple. Thys stone ys contrary to dronkennes & makyth y^e^ berar to contynewe watchyng. Also hyt puttythe away yll thowghtes & geuyth a man goode vnderstondyng. Hyt ys a comen sayynge moreouer y^t^ thys stone helpythe hunters gretely & causyth them to have goode fortune In ther game.

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[a]Instit. 1. 2
[b]Cod. 11. 9; Cod. 11. 8; Cod. 1. 32

[13] In the Latin edition there is the following quotation from Ovid, Ars Amatoria, li. 3: 'Palleat omnis, hic est color aptus amanti'

Off y^e^ grene colowre

The last amonge y^e^ meyne coloures descendyng frome whyte & drawyng to y^e^ blacke ys y^e^ grene coloure; whyche colowre ys engenderd throwghe y^e^ operation of hete in A temperate mater, whereyn moystenes hathe y^e^ more parte of dominion, as in leues, frute & herbes, & therfore bycause of dominion of moystenes A colowre schall be genderd descendyng from whyte, hauyng [**fo 108v**] moche of y^e^ blak, but not holely atteynyng y^e^ black. Thys grene colowre in plantes & frute ys chayngyd in haruest to y^e^ golden colowre bycause moche grose humors whyche ys in them be, by lytyll & lytell, waschyd throwghe the operation off hete in y^e^ sommer & yet they be not clene destroyde throwghe y^e^ hete, but ther substance throwghe hete ys more eleuate thoughe colde haue dominion, & so in haruest y^e^ colowre torneth & fadyth, chaynegyng to yelow. And thys experience schewyth how trees beyng grene in y^e^ spryng of y^e^ yere & in sommer wax pale & dedly in haruest & wynter. The cause ys for when y^e^ spryng commythe y^e^ humors in them be storryd to y^e^ owtewarde partes, & so After y^e^ hete ones towche them than hyt causyth them a none to be grene, but when colde commyth than y^e^ moystenes smytyth back & owtewards drynes Abownedyth, wherby y^e^ colowre ys changyd to better than hyt was afore, for hyt torenyth to y^e^ Golden colowre & yelow.

Thys grene colowre I spoke off afore ys very plesant for y^e^ syght by the reason of y^e^ concurse of y^e^ fyry & erethe partes to gyther in hyt, for y^e^ bryghtnes of y^e^ fyry whyche ys temperat in y^e^ grene colowre delytyth y^e^ syght. And Ageyne y^e^ dymnes of y^e^ erthe bycause hyt ys not in y^e^ extreme hyt stablyschyth [**fo 109r**] & comfortyth y^e^ visible sprete. Wherfore no colowre can be so delectable to y^e^ syght as grene. Thys ys prouyd in a preciouse stone callyd an emeraude, for Isidorus saythe yff goldesmythes graue eny preciouse stones off sotell nature, thys emeraude sett afore ther yys schall bothe comforte the syght & gretly repayre hyt[a]. But of thys stone I schall speke more hereafter.

Now to retorne to y^e^ grene colowre, thowghe I sayde y^e^ leves of trees, y^e^ frute & grasse war grene yet we see by experience y^t^ flowres very syldome be of y^e^ same colowre, what scholde be y^e^ cause hereoff. Thys chaunecyth bycause off y^e^ sotelte of y^e^ mater of y^e^ flowres: For yf y^e^ partes whych haue y^e^ cheffe dominion be waterysche & aeryall Than y^e^ coloure schall be whyte. Yff they be waterysch & fyery but water hathe more dominion than

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[a]Isidore, Ethimologiarum, de lapidibus preciosis

y^e colowre schalbe yelow or pale. Yff fyre w^t ayre bere rewle, but ther ys more abundance of fyre y^e colowre schalbe purple or Ruddy. Yff water & erthe haue dominion, but the water moste than y^e colowre schall be graye or soche a colowre y^t schall bere more of y^e black than whyte. Yf fyre & erthe equally preuayle than y^e flowre may be grene, as I sayde Afore, but y^e sotylte of y^e nature of y^e flowres dothe not admit soche A commixtion. And therfor generally flowres be not grene. The grene colowre therfore ys mene bytwyxt red & black, delyghtyng y^e syght & Attractyue of the Aspect off[14] **[fo 109v]** the yyes, Also confortatyue & reparatyue of y^e syght. Wherfore hartys & other wylde beestes love grene placys & delyght to inhabyte there not onely for y^e foode, but Also for y^e comforte of y^e syghte. And therfore hunters clothe themselffe w^th grene, for wylde bestes, bycause they be vsyd to y^t colowre, they fere y^e lass y^e traynes of y^e hunters, As phylosophers say, & specially Isidorus & bartholomew[a].

To thys grene coloure, As I schewde Afore, ys correspondent y^e Emerant; A moste preciouse stone, & very grene of colowre, After y^e Iugement of marbodius & Isidorus, for they say y^ere ys no stone nor herbe y^t hath more grenes, In so moche As Isidorus saythe hyt infectyth so y^e ayre wyth hys grenes y^t hyt darkyth bothe leves & grasse Abowte hyt. And in y^e sone hyt neuer batyth coloure. Also y^ere ys no refresschyng more plesaunt for y^e yyes of grauers. Iulius cesar Also was wonte w^t an Emerant to be holde y^e batell off sworde playars, As Isidorus reportyth[b]. Thys stone increasyth Ryches, & in pletyng of causys geuyth wordes to y^e pleter y^t schall gretly persuade. Hyt curyth y^e fallyng syknes, hyt conseruyth & comfortyth y^e syght. Hyt swagythe wanton motions. Hyt makyth onys memory goode & qwyk, & As marbodius saythe in certen veresys[c15]. Hyt ys goode for ingramancyers.

here folowyth of y^e other principall colowre the black.[16]

[fo 110r] We haue schewde afore of y^e whyte colowre, As a moste princypall & consequently of v mene colowres descendyng from hym goyng to y^e black. Now ensewyth of y^e black colowres, as A nother princypall & of hys v mene colowres Ascendyng from y^e

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[a]Bartholomaeus Anglicus, De Proprietatibus Rerum, c. de colore viridi
[b]Isidore, Ethimologiarum, 16
[c]Marbode, De Lapidibus, de viridibus gemmis

[14] In the text "off [fo 109v] off"
[15] In the Latin edition there is the following quotation:
"ut dicit Marbodius *in lapidasio ca. de smargado,*
Commodus ille lapis scrutantibus abdita fertur
Cum prescire volunt ac divinare per undum"
[16] The script is markedly worse from the last eight lines and there are different spellings.

black to whyte, y^t^ ys to say more receuyng of y^e^ black then whyte. & fyrst we schall speke of thys black colowre, As of y^e^ mother of the other v colowres. The black colowre ys priuation of y^e^ whyte as bytternes ys lack of swetenes (As y^e^ phylosopher saythe[a]). And hyt ys engenderde throwghe small & dyme lyght in obscure & onpure visible substance. & therfore blacknes gatheryth y^e^ syght to gyther & smytyth hyt back agayne; wherby hyt hurtyth y^e^ syght sometyme, yf hyt be vehement & ouergrete, As ys euident in men kept longe In pryson, when they enter fyrst owte of hyt they see very dymly. Thys black colowre ys growndyd sometyme in A moyste And hote substaunce: for hete hauyng the dominion maketh the moyste substaunce to be blacke, As you maye perceyue in grene wode when yt ys borned. Sometyme blacke ys grounded in A dry And colde substaunce, for colde hauing dominion maketh the dry substaunce blacke, And the moyste hyt maketh whyte, As Auicenna saithe. And so **[fo 110v]** blacke sometyme ys causid throughe colde, And thenne yt ys A signe of deedlynes. Sometyme yt ys causith through hete, And thenne yt ys A signe of Adustion or bronning. Also hete hauing cheffe dominion vpon the erthye substaunce dissoluith & digestith yt, And As moche As ys necessary yt takyth And tornith to the substaunce of fruyte, And that wyche Remanith hyt wasteth yt And driueth yt to the extreme partes, so that the fumosite wiche ys soo Reiect And put Abacke, by cause yt ys eerthy infectyth the ouer parte of the floure, And so therin leuyth A tooken of blacke.

Nowe Ageyne yf the mater be moyste than, yf hete haue the dominion, blacke ys engendrid. For the blacke brennith And consumyth the moyste partes so that by exalacions issueth owte dyme And darke smoke, As whe se in grene wode, frome the extremitees wherof procedith blacke humors when yt ys brennid; for the phylosopher saithe combustible thinghes haithe in theyr poores A wek humor whyche can not Resiste the hete of the fyre[b]. And yet yt ys not consumid by the fire[17] **[fo 111r]** And by forthewith, for yt fedith And norisshed the fyre for a season, As you may se A moyste thing specially ys whenn fyre workyth moste, And so by great operacion in yt At laste makith hit blacke, for hyt drenith owte the waterisshe humours And Aerial vapors so that there Remaneth onely At the laste the grosenes of the erthe, whereby necessarily moste be engendrid blacke.

To this blacke colore ys A precious stone correspondent callid A diamounde wiche ys playne, lyght, And some Apt to borne. And yf hit be sett nere the fyre yt woll sauour lyke

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[a]Aristotle, De sensu & sensato, 19
[b]Aristotle, in li. Meth.

[17] In the text there is a blank after 'ys not consumid by'. I have inserted 'the fire' to keep sense.

franke encens. And when yt borenith the odoure of hit driuith & voydeth Away serpentes. Hit bewrayeth demoniakes wyche be vexed wyth sprytes. Yt bewrayethe Also virginite, for yf A virgine drinke the water of yt she shall conteyne hir vrine, And yf she drynke yt And be no mayde she shall not be Able to holde her water, As diascorides saithe. Also they say yt ys good Ageynst fantasyes And vexations of sprytes in the nyghte. [**fo 111v**] Hyt confortith women in there traueling in cholde bedde. Hyt torneth Away tempestes And stintith floodes. Isidorus saithe that this stoone In water bornyth, And in oyle yt queynchyth, wiche ys merveillous. Here ys to be noted Also that, thoughe this blacke colore be the seconde principall coloure in Armes, yet the felde of this coloure ys not very laudable, but contrary wyse the felde whyte ys very noble, As Apperith in the Armes of the duke of brytan wiche be very notable And worthy great prayse for iij speciall causes: The fyrst ys bycause his Armes maye be dyscernyd A grete space farther of than other Armes; Also Amonge All other Armes they maye sonest be Repaired And made Ageyne; The iij^{d} cause ys they maye be sonest declared And discussid As this, The duke of briton berith ermyne, in frenche this wyse, *le duke de bretaigne porte ermines*. There be some bere Armes directly contrary to these, that ys to saye A blacke felde spottid w^{t} whyte, but I care not gretely for these personnes; but yet I haue harde certen men [**fo 112r**] In blasing of the same Armes sayeng thus, *Il porte ermines*. Neuertheles I haue sene often tymes A blacke catte spekeld w^{t} whyte, but the duke of britayne berith his Armes whyte spekeld wyth blacke, for in his dukedome be certen beestes, mervellous whyte of body wyth blacke tayles, of whose skinnes very preciouse furres be made, As these poudred Ermines, of whome whe shall speke here After in the chapter of the wesell.

Of the graye or Russett coloure

This Russett coloure furst of the v meane coloures wiche Ascende frome blacke to whyte ys but lytle distant frome the blacke coloure And ys engendrid throughe hete: for when hete haithe Resoluyd And consumyd the moyste And thyn partes of Any substaunces, And the grosse And erthy partes Remayne, then throughe hete they be somewhat purifyed, And so causith this colour to be producid, wiche ys in A maner blacke. But yt haithe more clerenes in yt bycause yt taketh parte A lytle of the whyte, but yet Amonge All meane coloures hyt ys [**fo 112v**] next vnto blacke And moste distant frome whyte. Also yf the Ayre be colde And worcke in Any subiect or mater, the gretter that the colde ys And his operacion in the mater, the soner shall yt mortefye And kill the strenghte of yt, so that not onely the fyry And Aeryall partes shall be made grosse, lyke the partes of the erthe but the waterysshe partes Also. And therfore through the Abundaunce of the erthy partes, wyche naturally shuld be blacke, this coloure ys engendrid nyyst vnto blacke, As I said Afore.

To this colore ys correspondent A precious stone called onyxe wiche, As diascorides saithe And marbodius in his lapidary And meny other phylosophers, ys gray or Russett of coloure And yt haithe meny noysome effectes. For yf he be hanged vpon onys necke or borne vpon the fynger hit causes the beerer to be thoughtfull And heuy. Hyt multipliethe moche fere. Hit bredith greate stryffe And mouyth bate Amonge frendes. Hyt causeth moche superfluous spytle Also, As Isidorus saithe[a], And makith the man wiche carith ouer moche of hyt to Auoyde yt. This stone ys A stone of Araby blacke of colour, hauyng very lytle of the whyte, whose nature And condicion mark well And consider in your mynde. [**fo 113r**]

Of the ledon or browne coloure

The browne coloure ys the second frome blacke Ascendith to the whyte, wiche ys engendrid of waterisshe And eerthy partes bering cheffe dominion. And therfore the browne And ledon colour ys A signe that coldnes haithe greate power, And that naturall hete ys extinct in mannes body: for the more the colde ys, not onely the fyry And Aeriall partes shall be engrosid into the waterysshe, but Also the waterisshe partes into terestre And eerthy. Wherfore throughe waterisshe And eerthy partes this ledon And browne colore (As bartholomew de platea saith) ys engendrid. Also throughe the greate abundance of water And fyre, so that yt be nott egall, the browne And donne coloure be causyd bothe, for yf water Abowned more than the eerthe the colour shallbe browne, After the maner of lede, And yf eerthe be more Aboundaunt than water, yt shall be dunne, After the manere of swart coloure; nott All thing blacke, but very nere vnto yt. This moche saithe the foresaid doctour bartholomaeus[b].

To this browne And ledon coloure ys A preciouse stone moche lyke [**fo 113v**] callid A crapaude wiche ys found in A toodes heed: Yt haithe great vertue Ageynst poyson or venyme, for yf you putt A spyder in A boxe And touche the couer of yt w^{t} this stone the spyder haith neuer power to gett owte Ageyne, And this Isidorus saithe he haithe prouyd by experience. Also yt taketh Away the malice of enemyes, And maketh the louers. Yt makyth the berer hardy, And preseruyth hym frome deedly woounde. Yt maketh women wiche bere yt chaste of body yf yt be borne w^{t} Rewe, the herbe yoyned to yt (As diascorides saithe) &

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[a]Isidore, Ethimologiarum, de Onice
[b]Bartholomaeus Anglicus, de coloribus circa medium

thoughe this stone be taken owte of A venemouse wormes hed, yet plini saithe his vertue ys greate Ageynst All kinde of venyme[a].

Of the Asshen colore or crane colore

The iij[d] coloure Ascending frome blacke to whyte ys After the coloure of[18] Asshes, to the wiche I can fynde no coloure more lyke then the crane colore, This saithe the phylosopher. This ys the myd coloure Ascending frome blacke towarde the whyte, And ys in A maner equally distant frome the extremes of blacke And whyte, but [**fo 114r**] not perfytely distant, To whose generation meny obscure darcke And eerthy perspicuitese be concurrent And egall porcion in A maner of blacke And whyte. But yet by cause the darcknes of the eerthe driuyth Abrode And dilateth the other clere partes of the mixte, yt agreyth more w[t] the blacke than whyte, & therfore that wiche ys excedingly blacke, yt gatherethe the syghte And maketh yt dyme as darkenes dothe, where As ys lak of lyghte but yt daseleth not nor scatereth the sight As Reed doothe, wiche ys in A maner contrary to this Asshen colore. For by the Reason of moche Aboundaunce & dominion of the erthe, the blacke colore ys engendryd, As we se in pepper, And Ageyn when yt ys so that there ys greate Aboundaunce of eerthe, And the fyre haithe dominion, then this Asshen And crane coloure ys causyd. But the Reed colore cometh to mans body by the Reason of the sprites many tymes, As we se in Angry persones, when the hert waxed greate, moche hote sprite And winde ys gathered wiche sodenly shotyth to the owte warde partes [**fo 114v**] making theym hote, whereby the Red coloure Aperith in the skin. And contrary wyse when the hert shrinketh to gether And so the spretes And blode dreuyth inwarde, As in ferefull persones, then this Asshen And crane coloure Apperith owtewarde in the man. And therfore we comonly saye when we knowe A man ys in grete feerr, howe that he lokyth As pale As Asshys.

Also yf the Ayre be moderattely colde, or worcke very long in the body this Asshen colore ys producyd, for through coldnes of the Ayre the skyn ys moysted, And by the Reason of Aboundaunce of moyste humour the blode ys[19] dreuen backe, wherby the colde According[20] to his owne colore disposeth the skyn And maketh yt seme wane & pale, After the colore of Asshys.

There ys A certen precious stone frendfull to this colore callid Achates. Thys stone puttyth A man in grete comeforte And yt discussyth And interpreteth dremes. Also

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[a]Pliny, Naturalis Historia, de bufone

[18] In the text 'of of'
[19] In the text 'ys ys'
[20] In the text 'According According'

diascorides saithe yt tornyth Ieoperdyes to goode. Hyt maketh the berer Acceptable, pleasant, And [**fo 115r**] eloquent. Other of his vertus be euident by doctors that wryte vpon yt And specially by marbodius in his lapidary wiche wrytteth certen verses there vpon[21].

Of the eerthy or sandy coloure

This colore that Resemblyth the saunde or the eerthe ys the iiijth in order wiche Asscendeth frome blacke to the whyte, hauyng more of the eerthe than of water or ayre, & therfore hyt taketh more parte of the blacke than whyte. This colore ys A meane colore proceding of blacke And growing owte of kind in to A lytle whytenes. Hyt ys called the eerthy or sandy coloure bycause the eerthe haithe dominion in the ouer parte of the pure And obscure mater, As we se in Asshes. This colour ys contrary in A maner to azoure, for Azoure ys engendryd of the Ayre, of the lyghte, And of whytenes; And this colour taketh more parte of Red And blacke mixt together then of Any of the other.

There ys precious stone correspondent to this colore called A calcidonie wiche As plini, [**fo 115v**] ysidorus & marbodius say, berith A mene colour betwine the byrall And A purple hiacinct. This stone maketh the berer to ouer come his ennemye and ys goode Ageynst allusions of deuells And preseruyth one in vertue, As diascoridus, ysidorus & bartholomeus de proprietatibus rerum testifiethe[a].

Of the tawny And salowe coloure

This tawney coloure ys the last in order betwene the v colores wiche I Rehersyd Affore Ascending frome blacke to whyte, wiche ys engendred of the waterisshe And eerthy partes hauyng the dominion. This colore ys yll in lyuely bodyes for other yt betokeneth dominion of cold, quenching naturall hete & beginning to mortifie And kyll nature; orells excesse of malincoly bloode, distroyng the colour in the ouerparte of the skinne orells some heuynes or thought of the hert, wiche plucketh bake the hete of the bloode to the inwarde partes, As yt Apperith in enviouse personnes, or theym wiche be sore dry beeten w^{t} battes & staffes, [**fo 116r**] for in theym by cause the flesshe ys sore browsyd, the humor w^{t} in ys corrupted, And thereby bringyth corruption in to the skinne[b].

Also of this coloure there ys A famouse precious stone callyd An Allectory, wiche (As men saye) ys taken craftely owte of A capons bely that haith lyuyd iij or vij yeres As A capon. This stone haithe great vertu; yt maketh the berer As inuincible, not Able to be ouer

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[a]Bartholomaeus Anglicus, De Proprietatibus Rerum, 16. de Calcidonio
[b]Isaac, vulnus livore &c

[21] In the Latin edition the verses are given as:
'*Portantem munit, viresque ministrat achates*
Facumdumque facit, gratumque bonique coloris'

come And yf yt be putt in to A mannes mouthe that ys sore A thurste yt shall quenche the thurst. Hyt maketh one discrete, wyse And eloquent in his woordes, Also constant And Acceptable to All men in euery thing he doithe. This moche speketh marbodius of this noble stone in certen verses of his lapidary[22].

By this premisses ys shewde openly that there be onely ij principall colores, the whyte And blacke, where of ether of theym haithe v meane colores. The whyte these v: yelowe, blew, Red, purple And grene wiche dyscendyd frome whyte to blacke, [**fo 116v**] taking more parte of whyte than blacke. The blacke haithe these v: gray or Russett, browne[23], crane colore, sandy or erthy, and tawney wiche do Ascende frome blacke and drauyth nere whyte, As I shewde Afore. Nowe therefore that we haue sene these saide colores And the propertes of precious stones correspondent vnto theym. Herauldes wiche be expert in blasing of Armes, yf they diligently consider the same, maye sone shewe And declare the trewe causys wherefore euery lorde beryth suche Armes As he dothe, one this And Another that, And yf Any thing necessary here to want in this booke, lett the Reders loke vpon other naturall doctours As plini, diascorides, ysidorus And bartholomeus de platea, wiche treate eche of theym in theyr places of this mater moche more largely And sufficiently.

Here endeth the iij^{d}e boke

And beginnith the iiijth

The furste chapiter of

diuerse signes peneytid in Armes

[22] In the Latin edition the verses were given:
"ut patet *in lapidario Marbodii c. de Allectorio*, ubi dicitur,
Ventriculo galli, qui testibus est viduatus,
Qui tribus, aut septem, castratus vixerit annis,
Nascitur ille lapis, cujus non minima laus est.
Invictum reddit lapis hic quem cumque gerentem,
Extinguitque sitim, patientis in ore receptus.
Hic oratorem verbis facit esse disertum;
Constantem reddens, cunctisque per omnia gratum
Commodus uxori, que vult fore grata marito,
Vt bona tot prestet, clausus portetur in auro"

[23] In the text 'browe'

come And yf yt be putt in to A mannes mouthe that ys sore A thurste yt shall quenche the thurst. Hyt maketh one discrete, wyse And eloquent in his woordes, Also constant And Acceptable to All men in euery thing he doithe. This moche speketh marbodius of this noble stone in certen verses of his lapidary[22].

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Constantem reddens, cunctisque per omnia gratum
Commodus uxori, que vult fore grata marito,
Vt bona tot prestet, clausus portetur in auro"

[23] In the text 'browe'

The furste chapiter of diuerse signes peneytid in Armes

[**fo 117r**] In this present booke ensuyth to se of diuerse signes in Armes And what the lokers on maye perceyue by those signes. And furst to discribe what A signe ys: hyt ys no more but A thynge wiche Representyth ortherwyse to mannes vnderstaundinge, than hyt dothe shewe hym selfe to the syghte. And for by cause Amonge All signes or markes of the worlde, those be more worthy wiche be quicke And lyuyng[a], I shall begyn At theym And furst At the leon bycause of All onreasonable beestes he ys As king And principall[1].

The seconde chapitre of the leon

The leon, As Isidorus saithe, haithe hys name owte of greke callid *leo* wiche betokeneth in englisshe A kinge; As to saye he ys king of All beestes[b]. His cheffe strenghte ys in his breste, And in his hed moste wekenes. When he slepeth, his eyen be open. He neuer etyth A man, nor sleeth hym but in great honger. This moche saithe ysidorus of hym. And plini Also saith, A leon ys A beeste of mervellous great gentilnes; specially those wyche be All [**fo 117v**] Roughe And Roughed the sholders And the necke, for leopardes wiche be goten of leonnes by Auoutry, haue not this good nature[c]. When A leon haithe ones well fylled hymselfe, he woll forbere mete ij or iij dayes After, And After he ys full, yf he be constrayned to fle Away, he castyth vp his mete into his mouthe Ageyne And so pluckyth yt owte w^{t} his talentes that he maye be the lyghter to Runne. He ys A beeste of longe lyffe, very seldome he cometh vpon infantes to hurte theym but yf he be in sore honger.

When he ys Angerd, fyrste he betith the grounde w^{t} his tayle, And Afterwarde y^{t} hys Anger encreasyth more, he all to betyth And smytyth his back ther wth. Also when he ys in Any perell or Ieoperdie, than he Apperith moste gloriouse for he geteth hym to the open felde, where he maye be sene, when hunters & doggys poursew After hym; And there prepareth hymselfe for his defence. Yf yt be his chaunce to be woounded, he watchith hym diligently that stroke hym, And Amonge All the company he wolde Runne on hym furst, to Auenge hym. More ouer when this beeste ys At the pointe [**fo 118r**] of dethe, he bytyth the grounde, And wepyth As A very kinde beeste, After his maner, considering And louyng hym wiche dothe hym goode, As in many examples Apperith that plini sheweth of hym[d].

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[a] Dig. 50. 16; Cod. 6. 29
[b] Isidore, Ethimologiarum, 12
[c] Pliny, Naturalis Historia, 8. 17
[d] Pliny, Naturalis Historia, 8. 17

[1] The translation does not include the last section of chapter one, wherein Upton wrote that he had written heraldic texts earlier in his life. I have transcribed this passage from Bysshe, p. 123:
'Verunttamen olim, in annis meis juvenilibus, scripsi in hac materia nimium sompniando: in qua quidem scriptura fateor me multipliciter errasse, ut in dampnando coloremviridem, ac multa alia posuisse que sunt veritati contraria: que jam ex certa mea scientia revoco, Utinam omnes copie de illa lectione mea extracte mecum essent: quas protestor me antea non dormiturum quousque ignibus consummassem'

Aristotell sheweth besid this of the leon, that A leon haithe A meruellous styffe necke, In A maner onmoueable And haithe his hynder partes made After the forme of A dogge, mouyng Allwayes first the Ryght fote, And then the lefte, As A camell. He haithe lytle mare in his bones, And they be so hard that yf they be Rubbid to gether, they caste owte fyre[a].

The leon inhabytyth in hye mounetaynes, And so farr of beholdyth his praye; wiche, After he haithe ones spyde, he Roryth Alowde, And At his voyce, makyth All other beestes so ferid, that sodenly they stay theym selues and mouyth nott. He dothe compasse (As he gothe ayenst theym) the grounde Abowte w^{t} his tayle, And After that no beste dare be so bolde As to passe the circle, but sore A stonede staunde still to here the comaundement of theyr kinge.

Also the leon (when he goothe by hard And comberouse grounde) he drawyth in his talentes farre w^{t} in the **[fo 118v]** flesshe, sauyng theym frome hurt or dulnes; for he vsyth theym for his swoorde. The praye wiche he taketh he ys Ashamed to ete yt Alone, And therfore he leuyth somewhat of yt in token of larges A farr, of the beestes folowing Aloofe. He ys of so hote nature that he ys vexed Allway w^{t} the feuer quarten, And yet he suffreth naturally the same disease bycause he myghte Abate thereby his greate feyrsnes. Thys moche speketh plini of hym[b]. Other propertees sheweth saint hierome, wyche I lett passe[c].

There ys A very lytle beeste wiche the leon And the leonnes feryth mervellouse grettely; yt ys called A learesone. This beeste berith venome Abowte hym, wiche dothe distroye the leon, In so moche that yf this beeste be borned, the Asshes of yt sprinkeld Apon A pece of flesshe And layed in the liones waye or pathe, yt shall kill hym. The leon haithe A stinking And infectiue brethe, And the bytt of hym ys venemouse And deedly, specially when he ys madde, for he woll be madde lyke A dogge. Eyrst he drinkyth the bloode of the beeste he slaythe, And lyckth yt; then Afterwarde he Renteth And deuydyth hym, lym by lym, A peces, And so swalowyth And de [**fo 119r**] uoreth yt. Of these propertyes And condicions, some be good And some be badde. Beware therfore in blasing of Armes, what you speke of the leon & his condicions.

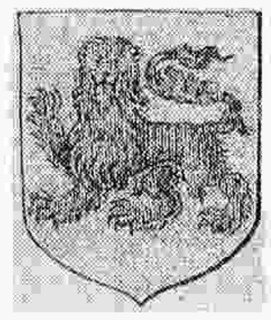
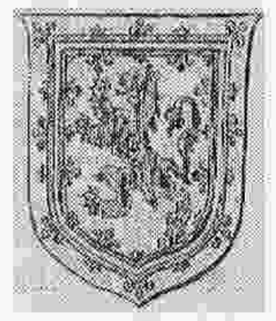
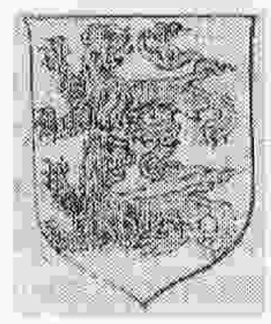
Neuertheles there haithe bene doubts Affore tyme of our souveraigne lorde the kinges Armes, bycause one honorius in A certen boke callid *arbor bellorum*, that ys to saye the tree of batell[2d], wiche he made in frenche to the laude of charles the vjth, saide that the kinge of englande ought to geue leopardes in his Armes, & no leonnes. But he erryd grettly

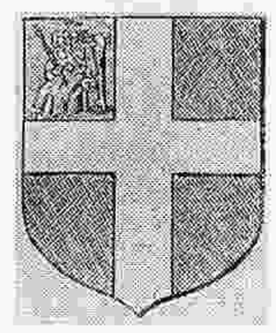
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[a] Aristotle, De animalibus, 2
[b] Pliny, Naturalis Historia, 17. 13
[c] Jeronimus, Super Ezechielem, 9
[d] Honoré Bonet, Tree of Battles, pt 4, c. 39

[2] In the text 'barell'

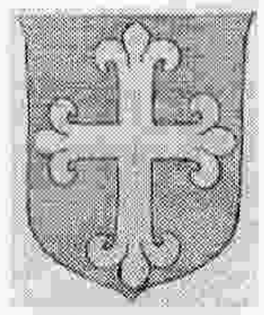
therein. And that ys prouyd dyuers maner of wayes; for the noble poete callid Architremus, wrytting of brute that furste occupied the Realme of England As chefe heed of the Reall me, sheweth howe he bore for his Armes, A red leon passant, in A golden felde, As Apperith by his sayeng in A certen verse wiche ys this: *Reptat in vmbone leo flammeus igneus Auri*, This ys expounde this wyse: in brutus sheld of golde A flamyng & fyry leon, that ys to saye A Red leon gothe. In frenche they saye this: *il porte dor vng lion passant de geules*. [**fo 119v**] After this maner, And After the saide brute his successours the brytonnes bore the same Armes successiuely, one After Another, for brute deuided the londe into iij partes; Englande, wales & scotland. And he gaue Englande to locrine, his eldest sone, And the second parte scotilaunde, to his sone Albanactus, The iij^{d} parte wales to camber, his laste sone. But I leue the declaracion of these partes to wryters of cronicles wiche sheweth theym playne ynoughe. The sayde Brute gaue to locrine his eldest sone his owne Armes Affore saide, And to his second sone A Red lyon Rampant, in A felde of golde, wiche Armes the king of scottes bere vnto this daye, w^{t} A lytle Addition. That ys to saye w^{t} A duble trace w^{t} floure delice conterposyd w^{t} Red, As Apperith here. They saye in frenche this wyse: *Ill porte dor vng leon Rampant et vng double tras floure et couert de geules*. The same brute gaue Also to his thyrd sone for his Armes ij Red leonnes tornyng theyr faces to ther backe, in A felde of siluer. The wiche Armes the kinges And princes of wales & theyr childeren bore A longe season. But As [**fo 120r**] for locrine, Brutus eldest sone, bore his fathers Armes And viij kinges After hym, vnto diuision of the Realme. And After the deuision of hyt I dowte what Armes ware boorne; for the furste deuision was made betwene systers. But yet I thinke dumwallo, A monarche, bore brutus Armes & his successores lyke wyse vntill the tyme of beluyne, wiche conquered the Realme of fraunce, Almayne, hole ytaly And the cyte of Rome, when porsenna And sabinus where consules, wiche beluyne (As cronicles saye) occupied Afterwarde vnder his dominion All grece, And then came to englande, taking vpon hym newe Armes wyche was iij golden crownes, in A felde of Azoure, bycause he was thryse crowned in diuers Realmes. Wiche Armes he And his successors bore vnto the tyme of vther pendragon, wiche lefte not those Armes but toke more vnto theym, for he bore ij grene dragons crowned w^{t} Red crownes, there backys Eche to other tornyng, in A Red felde, As Apperith here. And in [**fo 120v**] frenche tonge they saye, *Il porte dor deux dragons verdes corones de gewles les doz encountre les doz*. Wiche foresaide Armes As well the fyrste As the seconde That moste excellent prince Arthure, sone & successour of the saide vtter pendragon, bore vnto the ende of his lyffe. Yet neuerthelesse the saide Arthure, throughe A certen myracle sene At glastonbury, toke vpon hym other Armes to the honor And laude of the crucifixe, that ys to saye A siluer crosse & vpon the Right syde of hyt, the ymage of our lady w^{t} her sone sytting

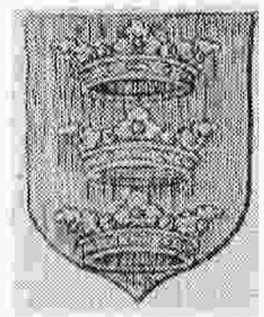




on her Right Arme, in A grene felde, As Apperith here. And After the dethe of Arthur, the yere of our lorde god, 545, constantine, his sone succedith in the Realme, wiche bore his fathers Armes And After hym Aurelius conanus. Then After Regned one malgo, After whome succedyd cateryk, the laste kinge of brytons, wiche was driuen owte of the Realme by the saxons. And then the saide Armes of Arthur were bore no lenger, for the [**fo 121r**] saxons entred And enioyed the Realme meny yeres vnto the tyme of cadwalladar, wiche bore in his therein. And that ys prouyd dyuers maner of wayes; for the noble poete callid Architremus, wrytting of brute that furste occupied the Realme of England As chefe heed of the Reall me, Armes one crosse patent the fygure golde, in Azoure felde the wiche ys moche to saye in frenche: *Il porte dasur vnd croix patie fiche*. The wiche Armes his sone yuor bore All his lyffe, And he was slayne by the saxonnes. But After hym succedid king yne, his nevewe, whyche by the grace of god was crowned And enoynted king. But he entred not As A bryton, but As A saxone, for by his mothers syde he was A saxon borne & by his fathers syde A britonne. This yne Regned xxxvij yeres, As A wyse And prudent prince And bore the Armes of cadwalladar to the ende of his lyffe. And After hym euery kinge bore the same Armes vnto the kinge egberte wiche bore A florisshed crosse of golde, in A felde of Azour wiche Armes continewde wth All kinges folowyng vnto seint Edwarde the confessors dayes. And [**fo 121v**] then entred in one swayne wiche droue kinge etheldrede owte of the Realme And dyed kinge, beryed At york, wiche bore thre crownes of golde palyd, in A Red felde, As ys here painted. And ij of his intrusors wiche Ragned kinges After hym, knutus And hardeknutus bore the same Armes. But After the dethe of these iij, the ij sones of eldrede, Alured And Edwarde, Retornyd frome beyonde the see into England Ageyne. The wiche Alured godwyne, Eerle of kent trayterously put to dethe, And the Afterwarde, the yere of our lorde 1042, Edwarde the second sone of Alured, was taken And crowned kinge, wiche boore in his Armes A florisshed crosse of golde, in A felde of Azoure. And bycause he was Robbed Affore by the danes of his possessions he gaue v blacke burdes gold w^{t}owte fete bycause he was called Edwarde w^{t}owte landes; wiche holy kinge deed w^{t}owte heyre, succedid one heralde in his place, As A false intrusour by force And violence, vsurping the crowne. And therfore he Regned but A lytle whyle, for he was slayne of duke willame of [**fo 122r**] normandie wiche conquerid the hole Realme. They After his entering the Armes of kinges of Englond ceased: And willm conquerour bore for his Armes ij golden leopardes, in A Red felde passant. In frenche they saye: *Il port de gewles et deux leopardes passauntes dor*. Wiche Armes bore Robert corteys, his fyrst sone And willm Rufus, his sone wiche succedyd And was crowned kinge in Englond, After his father. And After the dethe of willm Rufus, henry the furst, his brother, succedyd wiche bore the same Armes. Howebeyt some saye After willm conquerour gote the



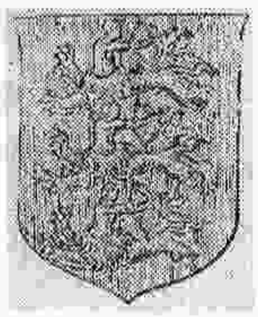


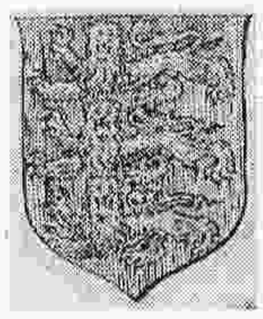




Realme of Englande he addyd to his olde Armes the iij leoparde, And so bare iij leopardes, but I can not fynde so moche of hym. But this ys well knowne, this henry the fyrst dyed w^{t}owte heyr, for his ij sones, willm And Richard, where drowned in one houre bothe to gyther in the see, And then he hadde A dochter named maude, wiche he maried to the emperoure of Almayne, whome, bycause he had no other heyre, he left After his deth to be his heyre in the Realme. But than one stephen, sone of the eerle of bloys And [**fo 122v**] Adeley, the iij^{d} dochter of willm conqueror, Also nephewe to kinge herry the fyrste Afore saide, was made king And toke iij golden leons to bere in his Armes, in A Red felde, As Apperith here. The wiche Armes All kinges of Englonde succeding After hym bore frome thens forthe. In frenche they saye: *Il port de gewles et troys leons passans dor*. This stephene entered the Realme the xxth daye of nouember, the sone beyng in the signe of sagittary, And was crowned the xxijth daye of december nexte folowing, And then bore A Red shelde w^{t} the bodyes of the leons passant vnto the neckes, And then yoyned Aboue nexte to theym, the bodyes of shoters, After the fygure And forme As the figure of sagittary ys. They were beren in golde & these Armes he bare bycause he entred w^{t} so great honour the Realme the sone beyng in the saide signe of sagittary. In frenche yt ys sayde: *Il porte de gewles trois sagittares en corps de leons passants dor*, As Apperithe here. After this stephen succedyth henry the [**fo 123r**] second, wiche was sone of mawde the empresse And geffroy plantaginett, duke of Aniou. Wiche henry boore Ageyne for his Armes iij golden leons passant, in A Red felde. Hereby therfore we see clere howe the Armes of willm conquerour ceasid for there failed the male lyne. And here you maye perceyue farther that the oppinion of theym wiche holde that the saide kinges of Englonde bore iij leopardes gold in A Red felde for theyr Armes, sayng ij were for the dukedome of normandy And the thyrde for the dukedome of Aquitayne, This oppinion ys to be Reproued, for this herry of whome I spoke Affore, sonne of geffray plantaginett And maude the Empresse, After diuorse was made betwene lowys the frenche kinge And quene Ellenour his wyffe, the duke of Aquitaynes dochter, he maride the saide Ellenor wiche was heyre to her father duke of Aquitayne, And so therby grewe fyrst the tytle that the kinge of Englande haithe to that dukedome. Wherfore I saye they erryd gretely that Affermyd willm conqueror to put the iij^{d} leoparde in his Armes bycause of the saide dukedome of Aquitayne, for he had neuer tytle to hyt, but onely furst this henry the seconde, [**fo 123v**] As I shewde you Affore.







I herde meny tymes At our seyges by yond the see, when yt was far in the nyght, meny opprobrious And spytefull woordes spoken Ayenst the moste noble prynce henry the

v^th^ And my singuler good lorde, Thomas montagu, eerle then of salsbery; And moste As touching these leopardes & my good lady mary, wiche was wyffe to herry the iiij^th^ And mother to henry the v^th^. What tyme I tryde owte then the truthe of this mater. You maye therefore surely And strongly holde that our souerayne lorde the kinge beryth for the Armes of the Realme of Englond iij golden leons in A Red felde, As here Apperith, & As I saide before, lykewyse As henry the seconde, his progenitour bore Affore hym. And so in henry the fyrste his fathers Armes ceasyd bycause there ceasyd the ligne male, wherfore the moste famouse prince henry the seconde brought in these Armes of the leons & bore theym, wiche was father to Richard that Regned After hym king of Englonde, of whome ys mencion made in meter wrytten in olde tyme to the greate laude And honour of his name As Appertith in these verses folowyng: [**fo 124r**][3]

[***De Henrico Secundo***

Henricus natus Matildus, Regna tenebat:
Sub quo sacratus Thomas mucrane cadebat.
De Rege Ricardo primo filio Henrici.
Miles famosus, Rex Ricardus generosus,
Non hominem metuit, tantus ad arma fuit.
Pro dolor! oh mortis mundo percussio fortis!
Cur non magnati vis parcere, nec bonitati?
Mors deliquisti que Ricardum rapuisti,
Regem vincentem, nec victum, prole carentem.
In vultu letus fuit & fortisque facetus.
Blandi sermonis, ditatus corde Leonis.
Scotia, Wallia, Neustria, Gallia, conticuerunt,
Arma Britonica quando leonica visa fuerunt.
Vltramontani, Tusci, Siculque, Pagani,
Ad bellum, parvum, scutum tenuere Leonum.
Rex & Tancredus pacis pepigit sibi fedus,
Quo subjectorum regnum tenuit Siculorum.
Postea pro fundo capto bellavit eundo
Isaqueo teste, sua Cipria fit manifeste.
Arte sua vique fuit Acon reddita, quique
Circum manserunt, altas turres petierunt.
Cairam, namque Damietam, Cesariamque
Hic invadebat, sibi gens adversa cadebat.

[3] In the text this is a blank folio. The first four lines of fo 124v are also blank. In this place in Bysshe's edition there is a Latin poem (ps 131 - 132) which I have inserted into the text at this point in square brackets.

En Saffadinus vidit quando Saladinus
Ictu Ricardi petiit postrema Liardi
Ligna nequit fari, nec cor poterit meditari
Quemquam formari conditione pari
De Johanne successore Ricardi.
Neustria Johannis fuit indefensa sub annis
Et quia deliquit, Gallis possessa reliquit.]

[fo 124v] By these forsaide verses yt ys euydent that the foresaide Richarde bore leons & no leopardes. Also yt ys A sayeng that henry the ij[d] was the furst that caused leons to be brought vnto Englonde And kepte theym vnder his owne Rewle, the welpes of whome he was vsyd to bete very sharpely in the presence of his iij sones, for to shewe example that they shulde be kepte vnder. But for All that, they were Rebell Afterwarde to theyr owne father: for henry his fyrst sonne, by his fathers lyffe was crowned king, his father consenting And willing there to, And yet Afterwarde he wente Abowte to distroye his owne father. Where vpon lowys the frenche king knowing herof, And the kinge of scottys, made greate labour to bringe theym to concorde And Agreement, As ys specyfyde in A certen cronicle of A monke of malmesebery wiche beginnith *Norma viuendi*. In the v boke of cronacle, And the chapter wiche spekyth of king herry the second there, yf yt please you, you maye se All the hoole processe. And there ys broughte **[fo 125r]** in this prouerbe, *per catulos castigams leones*, by the welpes whe chaste the leons. And so As touching the male lyne, All kinges of Englonde discendith frome hym And bore the saide Armes vnto the tyme of Edwarde the thyrde, whyche As I saide Affore, yoyned to his Armes the frenche kinges Armes bothe bycause he was the sonne of ysabell, dochter And heyre to the frenche kinge, And Also bycause Edwarde, his eldest sone, toke Iohn the frenche king prisoner At the batell of poytiers & so brought hym to Englonde, As I saide Affore.

Butt parauenture you woll saye vnto me the fyrst tytle of king Edwarde ys not A Iust And trewe tytle to the Armes of fraunce bycause of ysabell his mother: for After the oppinion of frenche men A woman cannot succede nor be inheritour, wherefore herein to satisfie there oppinion I Aske this question, whether king Edwarde the thyrde oughte to beere those Armes of fraunce bycause his sonne toke the frenche king prisoner in batell And brought hym so valliantly vnto Edwarde his father? I wolde thinke he shulde bere this Armes, for the cyuyl lawe saithe what so **[fo 125v]** euer the sone getteth he getteth hyt to his fathers Avauntaige, specially when he ys vnder his power. And so bycause Iohn the frenche kinge was goten in batell by[4] Edwardes furste sone, he shulde thereby be Edwardes prisoner. And for the more[5] proffe And confirmation hereof, The old statutes made vpon prisoners Accorde here w[t] in the

[4] In the text 'be'
[5] In the text 'moremore'

chapter, *Item precipimus &c*, wiche was made furste As men thinke by Arthur And his successors, bothe kinges of fraunce And of Englonde. And specially by the fore saide Edwarde And Also by the moste victorious And cristen prince herry the vth king of Englande, gouernyng than the Realme of fraunce, And proclamed in euery place heyre Apparent. Of the same wiche statutes, bycause they be good And Rightuous, I Ame not Abasshed to bringe theym forthe. And so here ensueth of theym the furste chapter.

Here folowyth the statutes

All thoughe the greate goodnes And graciousnes of the moste hye Artificer haith ordered And disposed that his subiectes shuld be meke, charitable And in theyr conversacion honest, yet for All[6] [**fo 126r**] that onrewly couetousnes, mother of stryffes, enemy of peace, occasion of grutche And malice, engendryth And bredyth dayly so grete debate Amonge people, that but yf iustice dyd Repreue And subdue theyr wykkyd Assaltes And poures, The vniversall goode order of our cristen hooste shulde be clene distroyde, And Also the comon welthe vtterly vndone, whereby we lyue And Regne. And therfore lawes And constitucions be ordeyned be cause the noysome Appetit of man maye be kepte vnder the Rewle of lawe. By the wiche mankinde ys dewly enformed to lyue honestly, to hurt no man, And to geue eueryman his owne; And for by cause our hooste maye At bothe tymes, that ys to saye bothe in peace And in war, After good order be Rewlyd And gouernyd And the comon welthe kepte in prosperite.

Also on the other parte, that the constable And marshall of oure hooste maye in theyr causes shewyd Afore theym more discretely Iuge and disscerne, we therfore by the councell of our lordes, Nobles and gentilmen haue made certen statutes And constitucions, And causyd theym openly [**fo 126v**] to be proclamyd in our hooste; comaunding that All And euery one of oure capitaines in our saide hoste haue theym in wrytting, that oure publisshing of theym maye be taken for sufficient monition, And that euery one of our subiectes in the saide statutes And constituciones pretend no ygnoraunce.

Of churches And sacramentes of the Aulter to be kepte in dewe estate

For in As moche As holines besemyth the howse of god, we ordeyne that All maner of churches be kepte inviolate. And yf Any be founde wiche, wythoute cause Approuyd by the constable of our hooste, presume to take Away frome Any churche, chappell or monastery Any of theyr goodes, that ys to saye vestmentes, chalices, bookes, Iuwells, or Any Relyques whe woll that they be taken And conuictyd therof, Afore oure constable or marshall, they be forthw^{t} hangyd therfore, so that such[7] goodes, As shortely As can be, maye be Restored to the churches As they were taken frome.

[6] In the text 'for All [**fo 126r**] for All'
[7] In the text 'sughe'

Whe orden Also that no man vnder payne of dethe be so bolde As to touche onreuerently the sacrament of the Auter or the pyxe or Any other boxe wherein yt ys conteynyd. [**fo 127r**]

Of spirituall men And of women not to be Rauysshed

Prestes that dayly serue god & ministre in his auter, whe woll that they enioy All maner of preuileges longing vnto theym. And that Also wiche laye violent haundes vpon theym And slaythe theym lese theyr heddes; wiche payne we woll to be extende Also for Rauysshers of women where so euer they be founde, comaunding more ouer that no persone be so bolde As to laye violent haundes vpon Any Religiouse people, As well man As whomen, or vnder onlawfull maner to touche theym bering the habit of theyr order, w^{t} owte fraude or gyle. Nor no man to be so bolde As to take Any of theym presoners soo that they be not Armed, or in warres ayenst vs pryuy or perte, vnder payne of prisonnement of his body there to Remayne At our will And pleasure.

To what maner of personnes men of warre shall bounde to obeye

Whe ordeyne more ouer that All maner of men beyng w^{t} in our hooste, what so euer degree, state, condicion or countrey he be of, that he be lowely obedient to our constable & marshall [**fo 127v**] in All lawefull And honest thinges vnder payne of forfayting body And goodes. Also we comaunde that All saudiars And All suche that Receue wages of vs And oure Realme be lykewyse obedient vnto theyr immediatt captaynes And maisters, keping suche watches And wardes that ys put to theym or that shall be Reasonably Apointed vnto theym. And that they go nott frome the same watches And wardes in Any maner of wyse w^{t} owte speciall licence of theyr saide captaynes And maisters, vnder payne of Aresting body And goodes vntill, by the discrecion And Allowance of the marshall, the saide captaynes or maisters be fully content.

Also when scantnes chaunceth of vitayle or of prouender for horse, yf the captaynes thinke yt necessary to sende to eny villaige Aboute for suche vitalles, whe comaunde that All maner of saudiars be Redy to Ryde or goo for the same At the Assignement And ordinaunce of theyr forsaide captaynes, or maisters, orells yf they be disobedient herein, to be punysshe After the payne ordend in the statute next Aboue wrytten. More ouer As touching chapmen [**fo 128r**] or vitallers that other Ryde wth the hooste or Reporte to oure markettes w^{t}in to bye And sell there; we woll they be obedient to the constable, the marshall, And clerke of markett As to oure owne persone.

Also we woll that All maner of bargenes, trespaces, couenauntes & treatys done w^{t}in oure hooste so that bothe partyes or the one of theym be Abyding in oure hooste, we woll

they be shewed And finally determined in oure owne courte, At the iugement of the constable And marshall, or in his Absence, of the marshall; what so euer persones they be, other soudiars, marchantes, chapmen, or other craftes men, As cordyners, taylors, barbours, surgens, launders, And our spyes specially ordeyned.

Of watche And warde to be kepte As well by daye As by nyghte

For in As moche as troble And Riottes chaunceth by the nyghte, for the wiche by diligent watche And wyse Attenndaunce good Remedy ys founde dayly, we orden that According to the nomber of Armed men, prouision for watche men be made dayly by the marshall of oure hooste [**fo 128v**] And that euery captayne help one Another togyther in theyr watchys And wardes. And when necessite comyth that they muste take theyr Reste & ease, one to helpe to kepe And saue the other frome ennemyes, nor no captayne to be so bolde, whyther he be foteman or horseman yf he be ones warned And Assigned to watche As to wante fro the nomber he ys Appointed to bothe of Armed men And of Archers, or to departe frome thens Affore the tyme Assigned or lymyt but yf he haue A lawfull cause Approuid by the constable or marshall, orells haue speciall licence of hym wiche ordeyned the saide watche vnder payne of lesing his hedde; we orden Also that euery captayne of oure hooste haue sufficient watche men w^{t} in[8] theyr lodgynge, specially in the nyght, whether they Ryde by the countrees or whyther they lye At syege of castelles, forteresse or townes, vnder payne of Aresting of theyr bodyes streyghtly to be punisshed at our pleasur.

Of musters or open shewes

And bycause the forsaide watchys dewly maye be kepte w^{t}owte fraude or gyle, we wyll that the captaynes of oure hooste [**fo 129r**] w^{t}owte Any maner cautell make hole And perfitely musters And showes of All maner of soudiars w^{t} theyr wepens, harnes & Artilary to vs or to our commissioners After the nomber Assigned to theym, As ofte As dewe And lawfull Requisision shall be made by vs or our commissioners to the saide captaynes herein. Also that the captaynes muster And shewe forthe onely their owne soudiars And no other mens, but onely suche w^{t} whome they made couenant Afore for that viage vnder payne of perpetuall Reproffe And losse of All his wages for that viage. Also we forbydde that Any persone presume to kepe Any saudiar, seruant or paige wiche was lately Affore in Any forfett bothe of his horses And Armoure vntill he haithe dewly content the partyes for his trespace wiche maketh complainte, And this ys vnderstonde yf yt be so that he had not the saide seruant by the will And consent of hym wiche was his maister Affore.

Furthermore we commaunde that oure comissioners, what so euer they be, free And diligently to enquire that All maner of soudiars in theyr musters, As I shewde Affore, [**fo**

[8] In the text 'in in'

129v] showe nor bringe forthe no other Armoure but theyr owne, w^{t} owte Any fraude; wiche we woll to be desernyd Also in bowes & Arrowes. And yf nede be we woll that oure comissioners compell theyr master or captaynes to swere here vpon for to tell the trewthe.

Of trobles And open clamors in the hooste

We comaunde Also that no man be so hardy what so euer condicion, degre or state he be, As to make Any clamors or besynes whereby other we or our hooste maye be trobled. And specially to Reyse that clamor wiche we call the *montee* or Any other onreasonable voys vnder payne of Arresting the beginner thereof his horse or horsys to be in the custody of the marshall vntill he haithe dewely satisfiede for his trespace. And the tryer owte, bewrayer or Accuser of the saide beginner shall Receue for his labour, of the constable or marshall, A C shillinges turon, that ys to saye x^{s} of englysshe money.

Also yf Any make owtecryes in theyr owne name, theyr lordes or maisters whereby people Assemble And gather to gyther to the grete troble of the hooste; he that so dothe [**fo 130r**] trespace & ys convicte Affore the conestable And marshall for the same, we woll he be openly hangyd. Also yf Any man beginne this clamour crieng hauoke w^{t}owte licence we woll that he be put to dethe for yt, And soche As folowe hym to be Arrestyd body And goodes, wiche shall be kepte diligently vnder the costudy of the constable or marshall vntill he haithe made his fyne w^{t} theym.

Also yf Any trobell or clamour Ryse in our hooste, by the Reason of our ennemyes comyng vpon vs, we charge And comaunde that by And by euery captayne w^{t} his company come to oure persone or to the graunte captayne, leuyng certen personnes lymytyd Affore by the saide captaynes for the custody of theyr lodgynges, Those captaynes onely excepte wyche haithe theyr lodginges nyghe there As the troble And clamor of theyr ennemyes Ryse; for we woll that they w^{t} theyr companye Abyde still for to kepe And defende theyr lodginges, And this we woll haue fully obseruyd In the graunte captaynes persone yf we be Absent oure selfe At that viage.

Also we expressely forbyd that no man of our hooste be so hardy As to go [**fo 130v**] owte of hyt what tyme we shall Ryde, what so euer noyse clamors or besines chaunce in oure saide hooste, vnder payne of forfettyng his goodes to be put in the custody of our constable or marshall, And Also vnder payne of Aresting his body to be At our grace And will, or in oure Absence At the pleasure of hym wyche ys ordeyned by vs cheffe captayne of our hooste.

Of generall owte Rydinges

Whe woll that none of our hooste be so bolde As to make Any Assembling or gathering of people to Ryde owte of the hooste to Any countrey, villaige or fortresse ther

nyghe w^{t}owte oure speciall licence or our graunt captaynes, for this intent that suche owte Ryders maye Allwaye Retourne to vs or our cheffe captayne for sucor, vnder payne of Aresting of theyr body And goodes to be At our pleasure.

Also yf theyr chaunce Any generall Ryding to be of oure speciall lycence, we orden then And woll that none be so bolde of the saide horsemen to go owte of the company of theyr captayne w^{t}owte his speciall lycence, Also vnder payne of Aresting his body At our pleasure And lesing of his gayne goten that daye, so that the iij^{d} parte of his gayne be Reseruyd hoole for his immediat captayne or maister, And the ij other partes to the heed [**fo 131r**] captayne of the owte Riding. The wiche our statutes we comaunde onviolably to be obseruyd of All persones, As often As suche Ridinges shall be. Also we comaunde that no man be so bolde As to Reyst, or sett vp our staundarde, or Any other lordes, or the standarde of seynt george, to call to gyther Any parte of oure hooste to go to Any country[9], towne, fortrese or holde w^{t}owt our speciall licence, vnder payne of hanging And drawing the captaynes that so presumyth, And behedding of All the folowers, Also forfetting of All theyr landes And goodes.

Moreouer we orden that no captayne what so euer condicion, state or dignite he be, to be so bolde As to make Any suche owte Rydinges, or to licence Any other w^{t} owte our speciall leue vnder payne of our continuall indignation And Aresting of his body to be punysshed At our pleasure.

Furthermore yf we Assigne Any persones to be owte Ryders, we forbyd expressely vnder payne of dethe that no man be so bolde As to borne there habitacions or howses or to cast Any fyre in theym w^{t}owte oure speciall comaundement.

Of lodginges to be taken And Assigned

[**fo 131v**] Furthermore we charge & comaunde that no man go before our hooste but suche As be our hoostes other lordes And theyr captaynes hoostes, whose names we woll fyrst be deliuered in wrytting by theyr owne lordes And maisters to oure constable or marshall, vnder payne of Aresting of theyr bodyes And theyr goodes to be in the custody of constable or marshall vntill the trespacer haithe made sufficient fyne w^{t} theym for his offence. Also that no man presume to lodge hym selfe what so euer degre or condicion he be of, but we woll, As touching there lodgings, All men indifferetly be obedient to our generall hooste As to our owne selfe, vnder payne of Aresting of body And goodes. We comaunde Also vnder the forsaide payne that no man After his lodging ys ones lymytt vnto hym, be so bolde As to go frome yt w^{t}owte hys captaynes or maisters speciall licence. Also yf yt chaunce Any man to fynde Any vitalles w^{t}in his lodginge or w^{t} owte we wyll that the fynder

[9] In the text 'contrary'

take his pleasure fyrst of theym, As yt becometh hym vsing theym moderately, & yf Any be lefte yt be geuen Amonge theym that haue nede, so that this vitailles be not destroyde by the [**fo 132r**] fynder or mysvsed, vnder payne of Aresting his body And losse of his horses or horse yf he haue but one & Also of his Armore vntill he haithe made competent fyne w^{t} the constable & marshall.

Also we comaunde that no man what so euer state, condicion or degre he be presume to stryue for his lodginges or his companyes or to make Any couenaunte to gether people to gyther, to cause or moue stryfe w^{t} in theyr owne lodginges or Any other mannes, vnder payne of Aresting theyr bodyes At oure pleasure, And theyr horsys And Armore vntill the haue made theyr fyne w^{t} the constable And marshall. And yf the trespacer be but A varlett or A ladde, he shall be punisshed by cutting Away of his lefte eere. And yf the offence comitted be greuouse, the trespacer shall be sorer punisshed After the iugement of the constable And marshall.

We forbyd Also that no man w^{t} in his lodging or w^{t} owte moue Any stryffe w^{t} Any persone or personnes, for eny offence, malice or grutche past or to come, by the wiche stryffe the dethe of Any person maye fall or chaunce, vnder payne of forfetting body And goodes. And yf dethe chaunce in dede thereby, that then All the [**fo 132v**] trespassers be hanged therefore.

Of prisoners

For in As moche As At conflyctes And other Actes of warr prisoners meny tymes be taken And by the Reason of theyr ennemyes sodenly comyng vpon theym the takers of the prisoners can not conveniently geue tendaunce vpon theym to kepe theym surely, whe thinke yt necessary to make here vpon A certen Rewle And to put yt in wrytting wiche ys this: we woll that All suche wiche haith take Any prisoner vnder warauntyse that he enioy that same prisoner, thoughe he geue none Attendaunce in the keping of hym the tyme of the conflyct, yf the saide prisoner be not founde Afterwarde defending hym selfe in the same conflyct. Also yf Any man ouerthrowe his ennemye to the grounde & the ennemye yeldeth hym to Another wiche taketh vpon hym to saue hym, he that ys taken shall become prysoner to theym bothe, but he that he yelded hymselfe to shall haue the keping of hym, fyndyng sufficient suretye to his fellowe for his parte in the Raunsome. Also when A prisoner ys taken And Another forthwyth[10] comyth And Askyth parte he shall haue his parte yf the taker haue onys grauntyd hym, but per Auenture he that Askyth parte thretenyth yf he geue hym no [**fo 133r**] parte he woll slaye the prisoner, in this cause, thoughe the taker hadde promised

[10] In the text 'forhtwyth'

hym Affore, yet he shall gett none. And yf so be he slay the prisoner he shall be Arestith by the constable And marshall And Remayne in prison, vntill he haithe made his fyne w^{t} the playnetyfe After the discrecion of the constable And marshall of oure hooste.

Also we comaunde As soone As the prisoner that ys taken come w^{t} in oure hooste, that the taker of hym w^{t} owte Any delay present hym to his captayne And maister vnder payne of lesing the prisoner to be iuged to his owne masters. And yf so be the prisoner so taken be some greatman of some parte of an hooste hauyng poure by hys Auctorite to displaye his baner or yf the prisoner taken be of the kinges bloode, duke, marques or eerle or A heed captayne, then he so taken, what so euer he be, shall be prisoner to the cheffe captayne of that party of the saide hooste. But yf the taker be Egall w^{t} hym in state And degre or gretter in dignite And Armes or A baron or some notable knyghte wiche was sett Affore to haue A standarde, And then this heed captayne shall Agree w^{t} the taker geuing hym sufficient Rewarde.

Therfore we woll [**fo 133v**] more ouer that the captayne or maister Receuyng suche A prisoner of his saudiar, beyng spereman or Archer w^{t} in viij dayes present to vs oure principall captayne orells the constable of our hooste or the marshall faithfully[11] the same, vnder payne of lesing his parte in that prisoner wiche ells he shulde haue hadde. The wiche parte we graunte to Any soche wyche will notyfy to our constable And marshall fyrst the hyding And keping close of the same prisoner. We orden besyde that none suffer his prisoner to Royle Abrode or to go And Ryde frely At his pleasure or to Abyde by hymselfe in his lodginge w^{t} owte good Attendaunce geuen on hym, vnder payne of lesing the saide prisoner.

And the iij^{d}e parte of the said prisoner so euyll wayted vpon to be Reseruyd to hys captayne or master so that he be not partiner of the offence. The second parte of the saide Raunsone we iuge the Accuser to haue And the other parte we Assigne to the conestable And marshall of our hoost, And the body of the trespacer to be fyrst Arestyth And sore Afterwarde to be punysshed, As yt shall please our grace, willing And charging more ouer that no man lycence his prisoner to passe by our [**fo 134r**] hooste w^{t} owte our saufconduyte or the saufconduyt of hym wiche ys principall captayne of oure hooste, vnder payne of the statute next Aboue wrytten.

Also we comaunde that no man sell his prisoner or put hym to Raunsone wythowte licence of his captayne wiche haithe indent w^{t} vs for the saide viage by wrytting And his owne seale, vnder payne of losse of the prisoner to the saide captayne And Aresting of his body that so offendyd, willing Also that the byars be punysshed w^{t} the losse of the prisoner lykewyse.

[11] In the text 'faitfully'

Of the thyrde partes paid in warres

All maner of captaynes, knyghtes, squyers, mene of Armes, Archers, what so euer they be shallbe bounde to paye the iij^{d} parte of All theyr gaynes in warre faithfully And w^{t} owte fraude to theyr imediate captayne or maister, in payne of lesing of the hooll principall some so goten And Aresting of theyr body vntill they haue made theyr fyne w^{t} theyr saide captayne or master.

Also we woll that All maner of men Ryding or taryeng w^{t} us in our hoste or vnder our baner thoughe they Receue no wages of vs or our Realme, As physiciens, surgens, barbours, [**fo 134v**] marchauntes, And suche lyke, we charge that they paye of All theyr goodes dewly And lawfully begoten by war to vs or our cheffe captayne the iij^{d} parte therof.

Of spoylinges And Robbinges not to be done

We ordeyn more ouer that no man, vnder payne of dethe, Robbe Any marchaunte or marchauntes or presume to take Any of theyr goodes frome theym, And specially vitailles. And this we comaunde to be obseruyd in surgens And barbors, nor no saudiar to be so bolde As to Robbe Another of his vitailles, his horse, his prouender, or Any other of his goodes that he haithe boughte or lawefully come by, vnder payne of dethe. We forbyd Also that Any saudiar or other person, what so euer state, condicion or degre he be of presume to stele, spoyle or take Awaye frome Any of other of his company that wiche he haithe gote of the goodes of his ennemyes w^{t} his iuste labours, As vitayles, hay, strawe, oottes, whete, wyne, oyle & suche lyke, vnder payne of Aresting of his body to be punysshed At oure pleasure.

Of Assaltes

Also whe orden that no Archer or Any of the comen saudiars make Assaute to Any castell or [**fo 135r**] forteresse w^{t} owte the presence And will of some captayne specially ordened thereto vnder the payne of prysonnement. And yf so be Any suche Assaute, As I shewde Affore, haud bene made in very dede and open proclamation made contrary Afore by vs, our cheffe capteyne orells the constable And marshall, or oure hooste, the disobeyers hereto shall be punysshed, theyr bodyes in prison therfore And Also lese All suche maner of goodes As they got there.

Of saueconduytes

We woll Also that no captayne vnder vs (the heed captayne of our hooste onely except) geue licence to Any ennemye or prisoner to come to our hoost or to departe or Remoue frome hyt w^{t} owte our speciall licence & saue condute or the saufcondutte of our conestable yf his commission extend so far, vnder payne of forfetting body And goodes.

Also we forbyd that no man, what so euer he be, presume to graunte Any saufcondutte of his owne Auctorite vnder his owne proper seall or Any other mannes seale, our constable except yf we graunte hym suche power. Also that no man dare be so bolde to breke or to violate our saueconduyte or our constables, vnder payne of hanging And drawing And forffett of All his londes And goodes. [**fo 135v**]

Of the Avoydaunce And Ridding Away of comon harlottes

More ouer we comaunde that these open And comon strompettes be suffred in no maner wyse to Abyde w^t^in oure hooste And specially At the siege of townes, castelles And fortresses, but then they be Remoued to gyther A leegghe At the leeste frome the hooste, wiche we woll be obseruyd Also in All townes, castells And forteresses taken by vs And our captaynes, or to be taken, yelded or to be yelded other to vs or to Any in our name. That ys to saye we woll they shall not be suffered to Abyde w^t^in the said townes, castells or forteresses or to mainteyne Any howseholde, small or grette, vnder payne of forfett of the harlottes lefft Arme yf After the fyrste monicion she be founde in the place so forbydde openly or preuely.

Here nowe maye you euidently see by the chapter Alledged here Affore, As touching prisoniers, howe that Iohn the frenche kinge was trewe prisoner to Edwarde the iij^d^ kinge of Englonde, And in his bondaige. And therfore by cause by the lawe what so euer the bounde man gettyth yt ys gott to his lorde, for he ys in his lordes power And haithe nothinge of his oiwne but to the Avauntaige of his lorde. And to proue that king [**fo 136r**] Iohn was king Edwardes boundeman by this Reason ys shewed[12] plainly, for boundemen be principally other by the Reason of byrthe or be captiuite, As the lawe cyuill woll. Butt this kinge Iohn was taken As prisoner to kinge Edwarde in warres, As was shewed Affore. Therfore he was his boundeman. And so consequently king Edwarde myght lawefully geue his Armes, nott withstaundinge that the saide Edwarde the iij^d^ myght lawfully bere the Armes of fraunce by the Reason of trewe succession And by the Right of enheritaunce, for he was sone And heyre of ysabell that tyme dochter And heyre to the kingdome of fraunce, As Apperith sufficeintly by cronicles, And specially by froissarde in his cronicle where As he treatyth vppon this mater. Lett vs conclude And saye therfore that oure souueraigne lorde the kinge beryth for his Armes iij golden leons in A Red felde, And so haithe borne All his progenitours frome king herry the seconde, wiche furst bore the same Armes And left theym lykewyse to be borene of his successors, As I shewde you Affore of Richard his sonne.

[12] In the text 'ys shewyd ys shewyd'

Of the leoparde by Avoutrey

A leoparde ys A moste cruell beeste engendred willfully of A leon And A beeste called A parde, [**fo 136v**] lyke vnto A catt of the mountaine. And so this beeste comyth of ij diuers kindes, After the mynde of Isidorus[a]: of A leon And of A parde wiche ys the femall of that kinde orells of A leonnes And the parde that ys the male. As theyr be diuers beestes lykewyse: A mule of A mare And of[13] An Asse, A burnell of An horse And an Asse, an ybryde of A gote And A sowe, A tyter of A shepe And A goote, and musine of A gote And A Ramme. And lykewyse, As our prothoparent Adame fyrst gaue euery beeste his name After the propertyes And condicions of nature he was made of, so in lyke maner After the greate generall floode the people gaue names to beestes, fowle And fysshes, Also to tryes And herbes As nere As by theyr Reason the coulde the natures, propertyes[14] And condicions of theym. By the Reason of the wiche example, after the warres began And diuerse craftes were founde whereby Armoure bothe invasiue And defensiue was ordeyned, wyche harneys couered the faces mooste parte so close of men of Armes that they coulde not well be desernyd nor knowne, They therfore, by cause they myghte the better be perceued what the war, ymagined certen burdes And beestes According to theyr natures And propertyes to be sett vpon theyr cote Armoures or to be painted vpon [**fo 137r**] theyr sholders. This moche dothe ysidorus Reporte hereof[b].

But nowe to torne to the leoparde. A leoparde ys A beeste whytysshe in maner of colore, spekeld w^{t} meny blacke spottes; A very heddy beeste, And he longes sore After blode. The femall ys more cruell And gretter than the male. They catche theyr praye by skypping or leping And not by Ronning, And yf so be they catche yt not At the iij^{d} or iiijth lepe, of A greate indignacion they cease leping, And As beyng conqueryd, torne backe And geue vp theyr praye. They be lyke leons in making but not in colore, And they haue theyr hedde After the facion of A parde. A leoparde shall be knowne from A leon by this meane, for when A leoparde ys painted he haithe meny blacke spottes in his body And A great hedde, Also his skin ys smothe And playne; but A leon ys All of one colore And they haue theyr hed After the facon of A parde, Roughe Affore in the breste And forepartes w^{t} certen knobbys in his tayle.

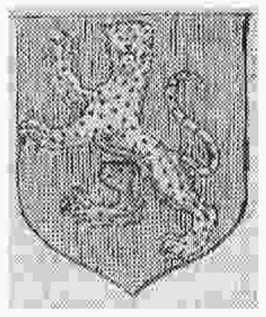
Howbeyt there be some dremyng in this mater wiche put difference betwixe A leon And A leoparde in paintng of theyr faces, sayeng that A leoparde ought to be painted w^{t} his hole face shewde Abrode, openly to the lookers on, And the [**fo 137v**] leon w^{t} halfe A face,

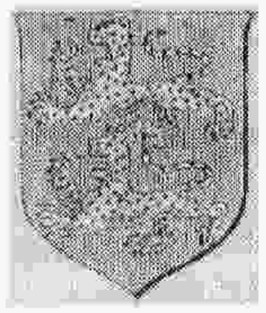
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[a] Isidore, Ethimologiarum, 12
[b] Isidore, Ethimologiarum, 12

[13] In the text 'of of'
[14] In the text 'the natures propertyes the natures propertyes'

wherin they do A great iniury to this noble beeste the leon kinge of All beestes, willing nott he shulde shewe his face, wiche ys gretely Ayenst the lawes. For the lawes woll that beestes be paynted in theyr moste ferse Act And maner[a] And yf A leon maye not shewe his face he can nott be painted And shewed to Appere Soo As he ys in dede. Wherfore I neuer sawe the other oppinion nother in lawe wryten, nor can not perceyue by what naturall Reason hit shulde be groundyd[b]. But yet this I haue sene meny tymes, I wote well diuerse noble men to beere A leoparde or leopardes in theyr Armes in theyr owne coloure, some painted w^t^ hole facys, some w^t^ halffe, whose bodyes whar As they ought Allwaye to be spekeld w^t^ meny blacke spottes. There was A certen knyght, one syr guy of Rocheforthe that bore the same Armes, for he bore A leoparde saliant in A Red felde. And here ys to be notyd I putt nott the coloure of the leoparde for he bore his owne colore, that ys to saye somewhat grey wyth blacke spottes spekelde in hytt, of the wiche mater we shall treate more hereafter. I sawe Also A certen knyht callid Arnold de marche that bore ij leopardes passant in A golden felde, of the wyche the halfe [**fo 138r**] facys onely where showyd to the lokers, As here Apperith. To beare therfore leopardes in Armes hyt betokeneth that the berer, At the leste wyse he that toke theym fyrste, was gott in Adwoutery; And here ys to be notyd that you moste Allwayes haue A Respect to the natures And condicions of the beestes As I shewed Affore. Wherfore As touching hereto hyt maye be saide that these great Abbottes And Abbases ought to bere leopardes, mules, bornells And suche other in theyr Armes bycause they vse the instrumenttes of bysshoppes, that ys to saye myters And croses, And yet they haue not thatt act to minester Abowte sacramentalls And other Iurisdictions; As bysshoppes haue by bywyse As these mules And leopardes bere the instrumentes of horsys And leons but yet they vse theym not naturally nor they haue the Act And exercyse of generation by theym[15]. You maye saye therfore Ageyne by the Reason of these promesses, And As shewed Affore, the kinge of Englond beryth leons in his Armes And no leopardes.





Of the Ramme

A Ramme ys A beeste comenly And openly knowne. His nature, As isidorus saithe, ys meke And gentill[c]. [**fo 138v**] He ys the prince And captayne of shepe And therfore nature haithe endewed hym w^t^ more strenghte then All the hole flocke. He gothe fore moste A fore the shepe As leder And defender of theym: for bothe in byggenes of body And Also in strenghte he excedith All other shepe. Some tyme he ys vexyd w^t^ A worme in hys heed And

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[a] Dig. 41. 1
[b] Dig. 3. 1
[c] Isidore, Ethimologiarum, 12

[15] In Bysshe's edition (p. 148) there is the added reference:
'unde scribitur in Speculo Stultorum parte quarta sic.
Multus & Abbatas sunt in honore peres'

causes hym meny tymes to bete And knocke his heed very sore when he ys troubled w^{t} yctche of the worme, And hyt makyth hym to Ronne harde vpon what so euer he metyth. This beeste was wonte to be offered moche vp for sacrifices At the Auters in olde tymes, wherfore After moyses Lawe hyt was counted A very clene beeste, Apt for sacrifice And to be eaton. This beeste haithe A very hard forheed but his temples be weke And full of crysstells, And therfore, for defence of the weker parte, Nature haithe geuen hym greate hornes Rounde And wronge Abowte hys temples, As yt war A buclar for theym, And somewhat sharpe At the endes, whereby he maye kepe his hede And Runne vpon his Adversaryes. And therfore the more sauely he gothe Affore the flocke holding vp hys heed. He tredyth the faster And surer on the grounde w^{t} his fote bycause yt ys clouen. In the tyme of Rutt he fyghted for his make And Runnyth vppon his Adversaryes w^{t} his hornes, And **[fo 139r]** bycause he myght more strongely smyte his ennemye he geueth backe And so fetchys his vese w^{t} great violence towarde his ennemy, As Auicen saithe[a]. To bere Ramme in Armes hyt betokeneth he that bare hym furste was A Rasshe And heedly fellowe or folowing some other condicions of the Ramme wiche I spoke of Affore.

Of the lambe

The lambe Amonge All beestes ys moste innocent And meke, for hyt hurtyth no body w^{t} his tethe, hornes nor fete, And what so euer ys in hym or Abowt hym hyt ys[16] profitable for some what: his heere moste necessary for clothing, his fell for diuerse vse, his donge to fatt the grounde, his body hoolsome And delicate mete, And his hornes And hoffe ys good And medicinable, As plyni saithe, And the inwardes of hym serue for diuers vses. Also some saye that this beeste ys callyd *Agnus* in laten, of this verbe *Agnosco*, wyche ys As moche to saye As to knowe, bycause this beeste knowyth his dame more than All other beestes, in so moche As Auicen saithe: yf Amonge A grete flocke he haithe loste his damme Anon by her voyce he knoythe her. The lambe Reioysses moche in the company of the flocke And when he ys Alone he monyth And sorowyth gretely And ys very ferefull. He kepyth Affore [**fo 139v**] The flocke And playeth in his leping. He ferithe gretely the thounder for the lambe, As bartholomew de proprietatibus Rerum saith, haithe naturally A weke And very feble heed[b]. To bere therfore A lambe in Armes betokeneth that he wiche bere hym fyrste was A meke, louely And corteys person orells perauenture his name was lambe; As meny men beryth certen beestes byrdes And diuerse other signes According to theyr names very often in Armes. Some Also bere the tookens And signes of theyr craftt that they be of, As I shall showe more here After.

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[a] Avicenna, Liber canonis, 8

[b] Bartholomaeus Anglicus, De Proprietatibus Rerum, 18, *de agno*

[16] In the text 'y'

Of the bore

The wylde bore ys A very cruwell And Feerse beeste, As ysidorus saithe[a], in so moche that whan he ys geldyd, he woll scase be tame, And to be made mo[17] meke, As plini testifyethe, where As other beestes be contrary therein. The boore ys so feerse Also that he feryth not dethe, but boldly woll Ronne vpon his hunters spere And styke hym selfe thereon. Also[18] when he ys styckyd throwghe the body, he gatheryth hys strenghte to hym, And dredyth nothing dethe, so that he maye be Auengyd of his Adversary. In hys Right syde he haithe the mooste hardest And thyckkyst place of his body, wiche he settyth Allwayes, As plyny saithe, Ayenst the hunters[b]. To bere therfore A boore in Armes, hyt betokeneth the man to be enviouse And A sotell [**fo 140r**] And stronge warriar wiche will Rather dye in batell than be fleing Awaye to saue his lyfe. I haue sene meny yrysshe men beere the boore And boores in theyr Armes.

Of the Asse

An Asse, as ysidorus saithe, haithe his name in laten by the Reason of sytting; for Affore men vsyd horsys they war wonte to sytt vpon Assys[c]. This beeste ys very symple And dull, And therfore in the beginning he was sone subdued to man. Orells he ys called *Asinus* in laten, some saye, *quasi sine sensu*: A beeste w^{t} owte sense or vnder staunding. The lenger An Asse lyuyth the more euyll fauored, Rogged And heery he woll be. He ys A melencoly beeste, colde And dry of nature, And therfore he his heuy, sloggysshe, folysshe And forgettfull, but yet he ys A pacient beeste And content w^{t} lytle mete. Amonge busshes And brymbles, The Asse, saithe Auycenne, gathereth his lyuyng[d], And when he Rooryth by lyfting vp his heed And his stronge blaste the thornes And breres be mouyd, And by the Reason of the horrible sounde he geuyth, byrdes be sore Afferde And flee frome theyr nestes, wherfore theyr dames pyk At the Assys eys w^{t} theyr billes to make hym Remoue [**fo 140v**] farther frome the places of theyr nestes, And though the sparowe be but A very small burde of body, yet the Asse ys scante Able to Resyste his violence And Assaulte. Thus moche saithe Auicen of hym, Aristotel And plini[e].

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[a] Isidore, Ethimologiarum, 12. 1
[b] Pliny, Naturalis Historia, 18. 10
[c] Isidore, Ethimologiarum, 12
[d] Avicenna, Liber canonis, 13
[e] Avicenna, Liber canonis, 13; Aristotle, De animalibus, 8; Pliny, Naturalis Historia, 28

[17] A later hand wrote 'to be made mo'
[18] In the text 'Al'

Also An Asse ys put to labore more than his strenghte ys, beton w^t^ battes, pryckyd w^t^ the gad, wronge by the mouthe w^t^ the Roope, ledde Rounde Abowte here And there for All maner of besynes. And After moche payne And laboures so dyeth; And scase yet After his dethe, for All his goode seruice Affore, his body ys suffered to be caste Awaye w^t^ owte sepulture or beryeng, but sett owte in the open heyre for fowle to tere And gnawe yt. This spekyth bartholomew de proprietatibus Rerum of the Asse[a]. To bere An Asse in Armes betokeneth the man to be slowe, meke And softe, gentill of speche And dedes, forgettfull of wronges done vnto hym, And Redy paciently to suffer meny Rebukes.

Of the spyder

A spyder ys beeste counted Amonge the nomber of theym that crepe And she haithe meny fette, vj or viij, Allwaye euen in nombre. In A small tyme she drawyth Alonge And maketh her threde, And neuer ceasyth After she haithe begonne to worcke but dothe labore continually. And yet she lesyth her labours lyghtly, [**fo 141r**] for A lyttell droppe of Rayne, or A small puffe of wynde brekith her webbe Asonder At ones; And soo her labor ys Allwaye in vayne. This moche saith ysidorus[b]. She haithe, by the Reason of diuers operacions, some fete longer, some shorter; for w^t^ some she makyth her threde fyne And drawyth theym Alonge, wyth some she knyttyth theym to gyther, And w^t^ some Ageyne she crepys by the thredes. And this sense of touching ys very stronge in her, that ys to saye she perceuys touching very soone, for when she ys in the myddes of her webbe Resident, yf A flee in the farthest parte of the web toche yt neuer so lytle, she perceyue yt And so sodenly invadyth And comyth vpon the flee As her ennemye. And yf yt be her chaunce to haue victordome ouer the fly than she tangleth And wrappeth her meny folde Abowte the thredes of the webb leste she myght escape her. And so she suckyth All the moystnes owte of her hed, for of suche huntinge of flees she lyuyth mooste, As bartholomew de proprietatibus Rerum saythe[c]. I wryte thus moche of the spyder bycause I sawe theym borne sometyme in Armes of A lombarde. Lett them therfore wiche beholde suche Armes ymagine by the forsaide propertyes And condicions diligently considerd what ys vnder staunde by theym.

Of the beeys

[**fo 141v**] A bee ys A beeste of many fete, Rounde And shorte of body, And Amonge beestes that haue ther bodyes compassid lyke A Ringe. In many suche he dothe vptayne principalite And dominion, As plini saythe[d]. He Recompenseth the smalnes of his body

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[a] Bartholomaeus Anglicus, De Proprietatibus Rerum, 18, *de asino*
[b] Isidore, Ethimologiarum, 12
[c] Bartholomaeus Anglicus, De Proprietatibus Rerum, 18, *de aranea*
[d] Pliny, Naturalis Historia, 15. 6

w^t^ gretnes of wytt, for Amonge All other beestes the bees haue mervellouse wisedome And craft: fyrst they make hony, A mooste sotell And holsome iovysse, And Also they worcke And cause waxe to be made, wiche ys very necessary for mannes vse. There ys Also in meny of theym mervellouse crafty conveyaunce in making of theyr hoffes, And lytell celles. They hyde theym selues in the wynter for they haue no strenght to Abyde the frost And snowe, nor the bytter blastes of northen wyndes. In the sprynge of the yere they come Abrode And vysett the bene floures, And that tyme none shall be suffered to be ydell but to labore besyly.

Amonge theym ys greate iustice kept, for yf Any Amonge theym stryue And breke theyr pece or destroye theyr hony or waxe that they make, Anone they flee All on hym And slayeth hym.

They haue A king Amonge theym wyche ys on[19] Armed w^t^ A stynge in his tayle, As other bees Are, but Rather w^t^ grete magesty, As pliny saithe[a]. And yf so be he haue A stinge his nature ys not to smyte w^t^ yt, for nature woll nott he sholde be cruell or seke to be Auengyd And therfore she toke frome hym his wepon And lefte hym onarmyd. Hyt ys [**fo 142r**] mervayle to see the obedience of his people vnto hym: for As sone As he comyth forth All the swarme gatheryd to gyther And compassyd hym Abowte of euery syde, As yt were An hooste of men to saue And defende hym, And by the Reason of the greate multitude that gatheryth thyck Abowte hym, he can scase that tyme gete Abrode. For then when the bees be At theyr labore then for that tyme The kinge kepyth w^t^in, goyng Abowte As An ouer sear And controllar. He ys onely fre frome labore hym self And haiste Assistent Abowte hym certen bees wyche haithe stinges, to be As his garde for his body. The kinge of theym cometh forthe very syldome, but yf yt be when the hoole swarme muste come forthe And theyr comyng owte ys perceued certen dayes Affor throughe grete murmure And noyse that ys made Amonge the hooste, As hyt war preparing theymselues forewarde. Wherefore yf At that tyme Any man shulde cutt Awaye the winge of theyr kinge They woll not than presse to come owte. When theyr kinge ys wery they supporte hym And bere hym vp w^t^ theyr sholders, And As sone As they se hym they be gretely sett in corage. And Ageyne when they mysse hym, All the swarme scateryth Awaye And puttyth theym selues meny tymes in Ieopardye, this moche saithe plini on theym. When so euer ther kinge dyeth they make greate sorowe And lamentacion And After the maner As men kepe beryall, so they celebrate [**fo 142v**] theyr exequies w^t^ greate morening And heuynes; for that tyme they woll nott owte to gather Any mete, but gett to gyther on A hepe wayling & morening Abowte the corse, And they mynissshe nott by lytle And lytle theyr sorowe, but when the deed body ys drawen owte

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[a] Pliny, Naturalis Historia, 15. 18

[19] In the text 'owt'

And taken frome theym then they perysshe Also, what for honger And heuynes togyther, this moche saithe plyni Also of theym[a].

Of the oxe

The oxe ys A comen beeste, And ys geldyd, hauyng his name in greke langage As some men saye by the Reason that he teryth And weryth the grounde, for theyr ys no beeste more occupyde Abowte yt then he. As plini saithe, that onely oxen Amonge All other beestes fede goyng backwarde[b]. And yt ys saide that wasshyng theym w^t^ hote water shall make theym fatt, And that sooche can beste Awaye w^t^ labour that haue large hornes And broode. And by the Reason he ys geldyth, he encreasyth the more in his body And his hornes, And Also his strenghte, but yet he ys not so hardy As he was Affore. Yt ys A meke beeste And clene, And therfore he was thought to be very Apt And convenient for sacryfyce in the olde tyme. And to speke shortely of hym, As plyny saithe, ther ys nothing in the oxe but yt ys proffitable for diuers vses[c]. To bere therfore oxen or theyr heddes hyt betokeneth that the berer of theym fyrste was geldyd or maymed so in his priui partes that he was onable [**fo 143r**] for generacion; And yt was my chaunce on A tyme to geue to A certen gentilman And squyere of my lorde And maysters howseholde iij blacke oxe heedes to bere in his Armes, in A felde of siluer, bycause At the batell of vernols he was stryken w^t^ A spere throughe the priui partes And so thereby made on Able to generation.



Of the toode

A toode ys A beeste of iiij fete, As plini saythe, full of venome inhabiting of the eerthe, And norysshed w^t^ the moystnes thereof, whose venome ys very cold. And therfore euery soche membre of one that he tochyd he makes yt onsensible, And As yt were deed, w^t^owte quicknes of lyffe; for this beeste ys full of poyson And therfore At All maner of touching he coragyth hym selue, In so moche that the more he ys touchid, the more he swellyth And bollyth; & As meny spottes As he haithe vnder the belly, so meny diuerse wayes his venome ys noysome[d].

He haithe yes shynyng lyke fyre, And the more borning that his syght semyth, the more perlouse he ys. He loueth swete herbes, And etyth the Rootes of theym very gredely, but w^t^ his eting corruptyth And infectyth theym. He louyth Also to be in fowlsome And stinking places, hating those places wiche be of swete odoure. He ys of the maner of A darcke Russett colour, of this spekyth plini in the places shewed[20] [**fo 143v**] Affore. To bere

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[a] Pliny, Naturalis Historia, 15. 19
[b] Pliny, Naturalis Historia, 8. 45
[c] Pliny, Naturalis Historia, 28. 40
[d] Pliny, Naturalis Historia, 18. 32

[20] In the text "shewed [**fo 143v**] showed"





toodes in Armes betokenyth After the propertyes As be Aboue saide. There was A lorde of Englonde, callyd lorde of botrauum, wiche bor iij blacke paddockes, in A felde of siluer, As here Apperith. The wiche Armes the sayde lorde bore per Auenture by the Reason of his name, As I saide Affore. These Armes bore sometymes the kinges of fraunce, wiche vse for theym to beere nowe iij floure delyce in A felde of Azoure, of the wiche Armes we speke in the iij[de] booke, in the chapitre of the Azur colore, where you shall see more yf you lyste to loke.

Of the camell

A camell, As ysidorus saithe And plini bothe, ys A lowely beeste And short bodyed[a]. He ys callyd lowely bycause when he shall be laded he woll bowe downe on his knees too Receue his burdone. But the camels of Araby be different frome the camels of vther Regions for they of Araby haue ij great bounches or knobbes vpon theyr backes, And the other haue but one. To soche persones therfore that beere suche bounches or knobbys in theyr backes war wont camells or theyr heedes to be Assigned to be borne in theyr Armes.

Of the goote

A goote haithe his name in laten called *capra* [**fo 144r**] by the Reason of gathering the toppes of plantes And herbes, for she Allwayes catching vpwarde to ete the toppes of leues, As plini saithe[b]. These gotes se As well by nyghte As by daye; of theym spekyth Aristotell vnder this maner[c], gootes in meny countrees haue mylke thoughe they be not greatt w[t] yonge, for yf one take A netell And Rubbe theyr teetes w[t] yt, furst theyr will bloode come owte And then After As good mylke As Any other geue wiche be impregnant & greate w[t] yonge[d]. Also he saithe that they lacke vnderstaundinge, in so moche that scase they can go to And fro to theyr pastures they fede dayly in but that some body lede theym. I haue knowne some of wales to beere the gootes of diuerse colores in Armes wiche be not farr different frome the saide condicions.

Of the dogge

The dogge haithe his name callyd *canys* in laten, As ysidorus saithe[e], by the Reason of his barking[21], And he haithe more sense And wytt than All other beestes; for they knowe

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[a] Isidore, Ethimologiarum, 12; Pliny, Naturalis Historia, 8. 19
[b] Pliny, Naturalis Historia, 13. 1
[c] Aristotle, De animalibus, 3
[d] Aristotle, De animalibus, 8
[e] Isidore, Ethimologiarum, 12, *Canis*

[21] In the text '. . . by the Reason of his shurlishness of his barking . . .'

theyr names when they be called thereby. They loue theyr masters And defende theyr howses And meny tymes, for theyr masters, put theym selues in Ieopardy of theyr lyues.

Also when theyr master ys deed they wol nott forsake hym but byde by the deed coorse. Some dogges meny tymes folowe the steppes of theyr praye by the smell, some by the bloode[a]. They [**fo 144v**] loue gretely the company of men, for ysidorus sayth they can nott longe lyue w^{t}owte theym. And plini saythe Also Amonge All beestes that bydyth w^{t} man, dogges be moste kinde And feythfull[b]; for we haue herde howe dogges haue fought for theyr masters Ayenst theffes, And haue kept theyr masters bodyes longe tyme After the haue bene slayne frome fowll And wilde beestes; And Also throughe theyr barking haue discouert the mischefe of the man queller.

We haue herd Also howe dogges wayting on A certen king brought hym home frome exile And howe wyth mervelouse greate hardynes they fought Ayenst theym wiche dyd Resyste theym. Furthermore the dogge of Iason, After his lorde was slayne, wold neuer Receue mete more, but pyned Awaye for sorowe and honger togyther. We Rede Also of selonus, A senator of the cyte of placencia, howe he was oppressid w^{t} men of warre but yet he was neuer woundyd Afore his dogge was slayne. And in lykewyse The dogge of one titius, A sabine, neuer forsoke his maister All the tyme he was in prison nor yet After his dethe, but morenyng And howlyng byd by the deed corse still And when one profered hym mete he toke yt And bare yt to the mouthe of the deed p<u>er</u>sonne, more ouer when the corse was cast into the water of tyber, the dogge lepte After to bere yt vp And susteyne hyt to his power vntill At the laste he was there w^{t} drownyd; meny people there where that tyme wiche wente to [**fo 145r**] se this mervellouse syght And wonderid sore to be so great kindnes And faithfulnes in A dogge, this moche speketh plini hereof. Furthermore the noblerer dogges, when they haue caught A herte, bucke or hydre[22], they deuoure not forthw^{t} that wiche they haue taken, but leue yt Rather for theyr master, beyng content At the laste w^{t} the worste parte theym selues. And thoughe hyt be so they haue nothing lefte And At All, yet they woll not leue to porsewe Another praye the lasse At Any other tyme.

Here folowyth other condicions of dogges not laudable[23]

Constantinus, A certen doctor[c], saith that A dogge ys naturally colde And dry, And that blacke colo<u>ur</u> haithe moche dominion in hym, wiche when yt ys to moche Abundaunt & so corrupt And putrefyde, than yt maketh A dogge madde. And this chaunces mooste in

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[a] Isidore, <u>Ethimologiarum</u>, 12. 2
[b] Pliny, <u>Naturalis Historia</u>, 13. 41
[c] Constantinus, <u>Viaticis</u>

[22] In the text 'hdyre'
[23] In Bysshe's edition there is no separate section for "condicions of dogges not laudable" and the information in this section is part of the chapter on the dog

heruest And springe of the yere; At that tyme other dogges woll flee frome the madde dogge As frome poyson. He Ronnyth Alwaye wandring Abrode Alone tourning in And owte And crossing his waye, As yt where one wyche were dronken, w^{t} open mouthe foming, his tonge hangyng owte, hauyng his eys Red As fyre, And his heeres lyke As they war drawen backwarde, he barkys Ayenst his owne shadowe, this moche spekyth constantinus of hym. Plini saithe Also that some tyme there lyeth [**fo 145v**] A certen worme vnder A dogges tonge And that causys dogges to be mad, & when yt ys drawen owte, the disease dothe cease[a]. Also A dogge ys wratfull, malicious And deceytefull, And therfore many tymes some dogges As men passe by theym fawne vpon theym wagging theyr tayles, And yet behinde theyr backes stele preuely vpon theym And byteth theym sore. A dogge ys very bolde And hardy Amonge his Acqayntaunce And then woll barcke At And fere other that come by hym, but when he ys Amonge straungers, then he dare do nothing. Wherfore before you Assigne Any dogge or dogges to ones Armes, you must consider well the mans condicions, And As you se theym Agree w^{t} the dogges so ye maye Apointe And geue hym his Armes boldly.

Of the bevoure

A beuer ys a mervelous beeste, sometyme Abyding And goyng on the eerthe w^{t} other beestes, sometyme Swimyng in the water w^{t} other fysshes. This beeste ys wonte when he ys poursued w^{t} honters to byte Awaye his owne stoones, leste dogges shulde take theym; And there stones be medicinable[b], the medicine ys called Amonge poticarys *castoreum*[24], After the name in laten wiche ys called *castor*. Of this beeste spekyth plyny[c]; There ys A certen beeste in the launde of ponthus, sayeth he, wiche sometyme ledyth his lyffe on the erthe, sometyme in the water, [**fo 146r**] And they make theyr howses And cabynes mervellous craftely by the water sydes in banckes; they company Also in A flocke to gyther And loue well theym of theyr owne kinde; They cutte wode w^{t} theyr tethe And when yt ys cutte brynge yt to theyr dennes in wonderfull[25] wyse, for they make of one of theyr flocke As yt were A cart, casting hym downe on the backe w^{t} his iiij fete vpwarde, And betwene his legges couche And laye the wode And so driuyth hym to theyr mansions where they onlade hym of the burdone And there w^{t} make theym stronge habitacles for to kepe theym selfe in. They Allwaye kepe theyr tayle by cause yt ys of the nature of fysshe in the water, for w^{t} owte the helpe And coldnes of that they were not Able to Abyde longe w^{t} owte corrupcion.

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[a] Pliny, Naturalis Historia, 30
[b] Isidore, Ethimologiarum, 12
[c] Pliny, Naturalis Historia, 11. 3

[24] In the Bysshe (p. 158) there is the additional reference: "unde & Juvenalis scribens de castore sic ait. - qui se Enuchum facit, cupiens evadere dampno Testiculi"
[25] In the text "wonfull"

This beuyr ys A mervellouse & monstruouse beeste for the tayle of hym onely ys fysshe And the Residew of his body After the nature of A foure fotyd beeste; his fore fete be lyke A gowse fete, And the hynder lyke A dogges fote. This moche wryttyth plini[a]; howe beyt diascorides And bartholomeus de platea be in somewhat disacorde.

Of the hart

A hart, As Isidorus[26] saithe, ys ennemy of serpentes [**fo 146v**] And delyteth moche in Armony. When he stretchys vp his eerys he heryth very quickly And when he holdeth theym downe lyttell or nothing in maner he can here. Plini sayth Also that A hart ys A beeste mooste gladde to please, for when he ys At A great streyghte And Ieopardye he willfully woll Runne to A man for sucore[b]. Also when the hynde ys Redy to trauayle he separateth hymselffe And departeth frome her, And yf he perceue that he be to fatt, then he woll seke some corner to hyde hym in for he feryth gretely the heuy weyghte of his owne body. And when he fleeth Awaye he can nott longe continewe his course yf he be Fatt. He ys so symple A beeste, that he merveyleth sore And ys gretely Amased At euery straunge thinge. He chaunges euery yere in the springe tyme his hornes, And then bycause he ys onarmed he sekyth placys to hyde hym in, vntill his hornes growe Ageyne, wiche he maye vse for his Armour And defence. A hart ys longe lyued, more than A C yeres, wiche ys prouyd by certen of theym taken C yeres After the dethe of kinge Alexander wiche warr markyd by the saide kinge wyth chaynes of golde Abowte theyr neckes; And As I herde meny tymes my selffe of A hart [**fo 147r**] slayne nere the forest of windesore At A place callyd basynstone, besyde backshote, wiche hart hadde A coller of golde wherein was grauen these woordes in frenche: *Iulius cesar quant Ie sus pety cest coler sur mon col Amys*; wiche ys As moche to saye in Englysshe that Iulius cesar put this coler of golde Abowte my necke when I was yonge And lytle. To bere A hert in Armes ys A signe that the berar, or he that bore hym fyrste, was A singing man moche deliting in musike And Armonye, And lyke A wyse And sottell man coulde prouide for his tyme, not invading by his will his ennemyes when he ys onarmed, but discretely Abyding A convenient tyme vntill he maye the more surely And sauely performe his entent.

Of the horse

Horsys Reioyse moche in feldes And be gretely couraiged At the sounde of the trompett, throughe the voyce Also of men And cryeng They be prouokyd to Runne A pace; yf they be ouercome they make greate sorowe After theyr [**fo 147v**] maner, And yf they gett

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[a] Pliny, Naturalis Historia, 32. 3
[b] Pliny, Naturalis Historia, 8. 33

[26] In the text 'Diascorides' but Latin edition cites Isidore, Ethimologarium, 12

the victordome they Reioyse And make great solace. Plini saithe the fayrer that A horse ys, And quicker the deper woll he holde his heed in the water when he drinckyth, Also he saithe howe the people of scithia had leuer vse mares to Ryde wyth in batell then Any other horsys, bycause they woll nott stop nor lett theyr Runnyng by the Reason of theyr staling, but can do bothe to gyther[a]. Horses Refuse to gender w^t^ theyr dammes by A certen naturall propertye geuen vnto theym, where vpon Arystotell showed of A certen kinge wyche beere A fayre Fooll and wold Afterwarde haue Another gotte betwene the same And his damme; wherfore to cause theym Ioyne bothe the soner togyther, he couered the mares face w^t^ A dysshe, wherby the horse, not knowyng his damme, Ryd vpon her. But After her face was oncouerd Ageyne And so knewe her, he Ranne hastely Awaye And wilfully frome A hye hyll cast hym selffe downe hedling And so was vtterly slayne[b]. Other propertyes of horses you maye se [**fo 148r**] by bartholl in his treatyse of blasing of Armes where he spekyth of the horse.

Of the Elephant

Elephantes in vnderstaundinge And Remembraunce passe All other beestes. They go to gyther in A flocke After soche maner And mouyng As they can. They be Afrayde of A lytle mouse, thus moche saithe ysidorus of theym[c]. Plini saythe Also that Amonge All beestes An elephant ys of grettest vertue In so moche that scase suche goodnes ys founde Amonge men, for in the newe mone they gather in A flocke to gyther And go into the water wasshing And bathing theym selues, causing At theyr commyng And goyng there yonge to go before theym, whome they kepe w^t^ greate diligence And instructe theym to doo lyke As they do[d]. They be of goode vnderstaunding And Apt to be tought, for they be tought howe they shall knowe And honore theyr kinge, And therfore they woll bowe theyr knees sometyme in token of Reuerence vnto hym. Also plini saithe yf elephantes happen to mete A man wyche haithe wandered owte [**fo 148v**] of his waye they stond styll a wyle leste they shulde put theym in some feere, And Afterwarde, by lyttell And lyttell, go Affore hym vntill they haue brought hym vnto the hye waye. And yf so be Any great serpent or dragon mete theym, they fyghte w^t^ hyt to defende the man, And boldly put theym selues in daunger Ayenst hyt for to saue the man[e].

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[a] Pliny, Naturalis Historia, 8. 43
[b] Aristotle, De animalibus, 8
[c] Isidore, Ethimologiarum, 12
[d] Pliny, Naturalis Historia, 8. 1
[e] Pliny, Naturalis Historia, 8. 5

Also there ys greate shamefastnes in theym for when one ouercommeth Another, he that ys conqueryd flyeth the voyse of his conquerour And woll nott Abyde yt. Elephantes some tyme be taken And made tame, And then men cause theym to beere toures of wodde And men in theym, where wyth they Ronne Ayenst Armyd men in ouerthrowing meny tymes the vauntgarde of theyr ennemyes, beyng not Afferd to Runne vpon theym. Also there ys Allwaye batell betwene Elephantes And dragons. They haue very small tonges in comparison of theyr bodyes, very sildome Appering owtewarde. There can be founde Also in theym but one gutt wyche ys wrappyd in And owte meny folde, saue Another besyde by the wiche they Avoyde naturall superfluyte. They haue theyr longes [**fo 149r**] very bygge, iiij tymes in A maner As bygghe As An oxe longes, but they haue A very small mylt in comparison of theyr bodyes, And the cause ys, As Auicen saythe, for melencoly workyth in theym As A norisshement for theym. They slepe staunding, bowing theyr hinder fette lyke A man. They be gentill of nature, for they lacke theyr gall, As Aristotell saythe[a]. They neuer fyght for theyr femalles As other beestes do for they knowe none Advoutery. And yf yt be theyr chaunce to fyghte Ayenst other beestes, they be very chary ouer theyr fellowes; for when they be wery or wounded, they Receue theym in the myddes Amonge them And so kepe And defende theym more than theyr owne selues. Also wylest the damme trauayleth in labore of her foole, the male Elephant to his power woll saue And defende her frome hurt.

Of the Ante or pysmere

An Ante ys A very wyse beeste And of good prouision, for they prouideth in somer that shall serue her in winter[27b]. Of theym spekyth Also solinus[c] A certen historiographer[28] wyche [**fo 149v**] saithe that there be blacke Anttes, very small of body, wyche labore more then they that be great beestes, for they prouide wisely for theym selues Affore howe they maye lyue Afterwarde. They lyue in A Flocke to gyther And make greate hooles wherein they inhabytt. They pyke the huskes frome the cornes, they gather mervelouse diligently And couche theym very warely in the secretest place of theyr mansions, that burdes shall not come by theym to take theym Awaye nor that the wynde shulde scater theym Abrode. And the crokyd placys w^{t} in the mansions they make streyghte, Thus moche saythe solinus. These Anttes bere gretter burdens in the somer then theyr bodyes be, And therfore they Recompence the smalnes of theyr body wth greatnes of vertu. They bere theyr burdens in theyr mouthe, And yf they be so grette they be not Able to holde theym there, then they torne

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[a] Aristotle, De animalibus, 14
[b] Isidore, Ethimologiarum, 12. 3
[c] Solinus, Collectanea rerum memorabilium, 11. 31

[27] In the Bysshe edition (p. 162): "Formica dicitur quasi terens micas unde Ovidius Metam. 'Grande opus exiguo formicas ore gerentes'"
[28] In the text "historigpher"

backe And labore All they can to wynde yt Abowte theyr hynder legges, And so to cary yt. They take great thought And care for theyr comen welthe for they hyde the sedes wiche be cutt Awaye lest they myght growe Ageyne, And[29] **[fo 150r]** the cornes that be scatered Abrode they gather to gyther that they be not loste. They deuyde craftely the cornes that they maye the more Easely convey theym in to theyr places where they shall be layde. In the full of the mone they labor in the nyghtes And cease At the dawnyng.

These lyttell Anttes be smale Abowte the bellyes And As thoughe they were gurded, wiche After they encrease more And more, they begyn to haue After the maner of winges, And so they be transformed to the maner of flees. Plini saithe[a] Also that there be certen Antes wiche be greate of body And haue hornes; These w^t^ greate auaryce and couetousnes kepe golde And preciouse stoones, But the inhabiters there Abowte stele yt frome theym wylest they be taryeng in theyr dennes. By these premisses you maye knowe that soche As haue the Antes propertes maye well bere theym in theyr Armes.

Of the gryppe

A grype ys A foure fotyd beeste, hauyng fethers And wynges. Al his body ys formed lyke A leon, saue that the winges And his face be lyke An egle, As isidorus saithe[b]. Sometymes he ys **[fo 150v]** so chafyd that he woll bothe flye Awaye w^t^ a hors And Also w^t^ A man of Armes that Rydyth vpon hym. These grypes kepe mountaynes where As these precious stoones, emeraulds And Iaspars, be plentuouse; but they woll suffer none to take theym Awaye. They haue Also so great hooffes And so broode that meny tymes they be made As cuppes for kinges And princes tabells.

Of the hedge hogge

An hedge hogge ys couerd All body wyth pryckes, where w^t^ he defendyth hymselffe Ayenst the Assautes of his ennemyes; for As soone As he perceueth Any thinge that shulde be noysome vnto hym, Anon he tornythe hymselfe Rounde in compasse, lyke A bowle, And so kepyth hym selfe to gyther close w^t^ in his Armore. He haithe A certen polysy w^t^ hym where As crabbes or grappes fall, he woll walowe hym selfe Amonge theym And so, by the Reason of his pryckes, caryth theym Away to fede therw^t^ his yonge, this speketh ysidorus of hym[c]. Also Aristotell saithe that An hedge hogge haithe A lyttell body And meny pryckes vpon hyt wiche be more of quantite farr than **[fo 151r]** his body, And the cause ys by the Reason that he haithe very lyttell hete in hym; wherfore for lacke of good digestion the

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[a] Pliny, Naturalis Historia, 11. 32
[b] Isidore, Ethimologiarum, 12. 2
[c] Isidore, Ethimologiarum, 12. 3

[29] In the text "And **[fo 150r]** And"

norisshement that he taketh workyth not moche to the comeforte of the body, but torned to superfluousnes, where of he be engendred these meny folde pryckkes in the owte warde partes[a]. Plini saithe in lyke maner of hym, howe he dothe wrappe hym selfe sometyme vpon fruyte, And so stickyth theym vpon his prickes, And bringyth theym vnder holowe trees where he kepes theym for his foode, but besyde those wiche he caryeth on his backe, he beryth one in his mouthe, And when he ys huntyd he wrappeth hym selfe Rounde As A ball w[t] his pryckes torned owtewarde to defende hym selue that he be not caughte[b30].

[a] Aristotle, De animalibus, 19
[b] Pliny, Naturalis Historia, 13. 38

[30] At this point there is a chapter missed from translation. The chapter is *De Lepore* and I have taken it from Bysshe's edition, p. 164

De Lepore

Lepus dicitur quasi levipes, quia velociter currit, & est animal Velox, timidium, & imbelle, nullum habens armorum genus nisis membrorum levitatem. Debilis enim est visus, sicut & cetera animalia palebras in dormitando non claudentia. Melioris autem est auditus & potissime quando aures ejus sunt erecte. Cujus aures sunt longe valde & flexibiles, quod inventum est esse necessarium propter oculorum aperturam, nam auribus oculos defendit ab infestatione cinisum, & muscarum. Habet eciam sub pedibus magnam pilorum villositatem, ut pili pedis carnositatem currendo a lesione defendant, & ideo dicit *Aristoteles li. iij.* quod pedes leporis sunt subtus pilosi, quod in aliis animalibus rarius invenitur. Crura autem ejus posteriora sunt anterioribus longiora, qhod fuit necessarium ad facile corpus elevandum in cursu cum fugeret contra montem, unde difficilius capitur contra montem quam contra vallem & hoc accidit propter articulorum brevitatem.

Item de leporibus, ait *Plinius li. viij.c.lv.* Leporum, inquit, plura sunt genera. Nam in Alpibus sunt quidam, & in silvis quidam habitant, set ipse qui in Alpibus sunt velociores sunt, & vocantur cuniculi. Nam cuniculi lepores sunt parvi, imbelles, qui unguibus terram concavant, & leporibus majoribus domos aliquando preparant, ac foveas quas inhabitant sibi formant. Et ipsi cuniculi sunt mire fecunditatis: Dicuntur insuper habere utrumque sexum. Nec invenitur in aliquo animali habente dentes in utraque mandibula nisi in leporibus, ut dicit *Aristoteles*. Et quanto ejus coagulum est vetustis tanto melius est & valubrius, ut refert *Plinius*.

Of A beeste callyd linx[31]

This beeste lynckes passes All other in the vertu visiue, that ys to saye in clere syghte, for he can se farther And soner spy A thing or peerse throughe hyt w^t^ his syghte then Any other beeste. He ys of the kinde of wolffes, And very lyke A wolffe, saue that his backe ys spotted lyke A leoparde. The water And stale that he makyth dothe torne to A preciouse stoone wiche ys callyd liguris; And he haithe A certen vnder staunding And knoweledge therof hym selffe wiche ys [**fo 151v**] prouid by this experience, As soone As he haithe stalyd or made hys water, he woll As moche As he can, scrape vp grauell And caste vpon hyt to hyde yt, And this he dothe of A naturall envy Rotyd in hym, bycause he wolde hyt shulde not come to mannes vse, This sayeth ysidorus of hym[a] And plini Agreeth herein Also[b]. Wherfore they that be perfytt And bryghte of syghte maye beere these beestes in Armes, And enviouse or couetouse men wiche hyde theyr treasure vnder the grounde maye bere theym lykewyse.

Of the wolffe

A wolffe haithe his name in laten callyd *lupus quasi leopes* by cause A wolfe haithe in A maner As moche strenghte As A leon haithe And therfore what so euer he pressyth w^t^ his feete yt lyuyth[32] not longe After. Wolfes can Away w^t^ moche honger, but After longe fasting they deuoure moche, This saythe ysidorus of theym[c]. A wolffe Also (As homer saythe) ys A great watcher, And dredyth fyre moche. And yf so be men hurle Any stoones At hym, he woll consider who smytte hym furste, And wayte diligently vpon hym to slay hym yf he can. They haue greate strenght in theyr heddes And neckes, but mooste in theyr [**fo 152r**] mouthes, And therfore they be great devorars. Theyr eys shyne by nyght As yt were A candell And they fere nothing more than stoones, for yf one smyte or Rubbe ij stones togythers, yf they maye here the noyse they leese theyr boldnes At ones And flee Away for fere. Furthermor A stringe made of the intralls of A wolfe yoyned w^t^ other shepe stringes in A lute shall neuer Accorde w^t^ theym but cause theym to Iarre owte of tune. Wherefore A man wiche ys wonte to disagre frome his felawshyp whyther he ought to bere A wolfe in his Armes or no, I Remytt that to heraldes wiche can skill here vpon.

Of the mousse

The mousse, As isidorus saithe, taketth his name in laten called *mus* of this worde *humus*, wiche ys As moche to saye As the grounde, for he dothe brede And ys engendryd of

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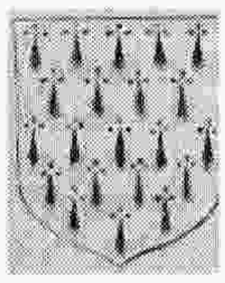
[a] Isidore, Ethimologiarum, 12. 2
[b] Pliny, Naturalis Historia, 8. 39
[c] Isidore, Ethimologiarum, 12. 2

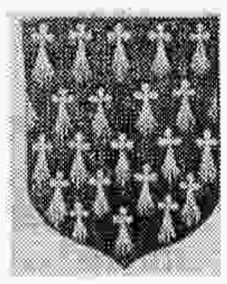
[31] In the text 'linx' was inserted after the word 'lynckes' was deleted
[32] In the text 'leuyth' was erased and replaced with 'lyuyth'

the moystnes of the erthe. This lyttell beeste neuer drinketh naturally, And yf he do he shall dye. Thys beeste ys A great glotton And therfore he ys sone deceuyd w^{t} A lytle pece of mete, that pleasyth hym what tyme by the sauor of hyt he ys prouokyd to the taaste there of. The mawe of the mousse increacyth [**fo 152v**] At the full of the mone And mynyssheth Ageyne As the mone decreasyth; lykewyse As Abowte they see coostes meny other thinges doo.

Of the wesell

Wesell ys A longe mousse (As ysidorus saithe[a]) very prudent And wyse, for she norysshes her yonge in the neste by chaunging theym frome place to place lest theyr nest myght be perceued. She porsueth After serpentes And beetyth theym. There be ij kindes of theym, the one lyuyth in the wodde And the other in the howse; but that in the wodde ys somewhat bygger. Some holde that A wesell conceuyth At her mouthe And dothe bringe forthe At her eere, but that oppinion ys false. She huntyth sparowes, And other small byrdes, And suckyth theyr Egges, And yf be Any chaunce her yonge be hurt or dye she helyth or Releueth theym Ageyne w^{t} A certayne herbe, As plini saithe[b]. Aristotell saithe Also that A wesell fyghteth Ageynst serpentes, And ys A beeste of swyfte mouyng, And of nymble body, euer wagging And vnstable, quycke of smell, hauyng A Reed backe And A whyte bely but she chaunges her [**fo 153r**] colore, for in some countrees As in lyttyll brytayne, As some saye, All her skinne ys whyte for A certayne tyme in the yere except the tayle; The wiche wesell, men of the same countrey takyth hyt than And callyth yt An ermyne, And fleythe yt, Reseruyng hyt for the vse of greate lordes And ladyes. Wherfore by the Reason of the goodnes of hyt, And bycause yt ys specially founde in lytle brytayne, The people of that countrey ordeyned for theyr dukes coote Armore to be made of the skinnes of this beeste, And the tayles soude to gyther As Apperith here; And he beryth for his Armes A shelde of the skinnes of hermynes w^{t} the blacke tayles sowed Amonge theym, And yt ys to be considered that this tayle ys no more but A lytle blacke spotte. Howebeyt there be some wiche imagine the contrary of the saide Armes, thinking that the felde of the shelde sholde be hole blacke, And Spekkyld w^{t} lytell whyte spottes, As here; And I deny not but soche Armes maye be borne, but yet I saye not that the [**fo 153v**] oppinion ys trewe wiche saye in frenche, *Il porte hermine*, for I fynde no Reason wherfore to saye so, As I shewed Affore in the thyrde booke in the chapter of the blacke colore.





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[a] Isidore, Ethimologiarum, 12
[b] Pliny, Naturalis Historia, 13. 22

Of the catt

A catt ys A beeste that huntyth myse And she ys quicke of syght, seyng better in the nyght than the daye[a]. Also she ys A beeste of oncertayne coloure: nowe whyte, nowe blacke, nowe yellowe, nowe pyde, nowe spekeld in body, face And fete. She haithe A longe tonge, very pliable, thin And sottell w^t^ the wiche she lappyth in drinking. She ys A very wanton And nymble beeste, when she ys yonge, Runnyng At euery thinge that wagged Ayenst her And woll playe w^t^ A strawe. She ys very sloggysshe in her Aege And slepy, butt yet she huntyth At myse very warely pour sewing theym by smell A fore she seyth theym, And so invadeth And catched theym, playeng w^t^ theym furste when they haue caughte theym, but theyn Afterwarde deuoureth theym. I Darr not nowe A Dayes Declare the condicions of the catte: howe meny there be nowe A Dayes Regnyng in Englonde, wiche playe fyrste w^t^ poore men, And then Afterwarde deuoure theym. [**fo 154r**] Surely A man maye se Dayly howe the Riche men, As thoughe he went Abowte to please the poore man, woll playe w^t^ hym in A maner, And shewe hym A faire And A holy face, but At the ende of his playe, by the iugement of xij false, pariured men, woll deuoure And vtterly destroye the innocent poore man, for no cause ells, but that the simple poore man, haithe some smale platt of grounde yoyned or Anexyd vnto the Riche mennes possessions And landes.

Off the Panther[33]

[**fo 155r**] A panther is a best, as Isidorus seithe, spekelde all hys body naturally whith smale, rownde spottes of dyuers coloures, black, white, & yelow, so that by thes reason of the variete & diuersite of hit, all hys skynne apperyth owtewarde as hit wher hiden & coverde w^th^ some payntyde cloth[b]. When the panther hath ete hys Fyll he hydith hym self in hys denne & slepyth for the space of iij daijs almoste contynually. And after that as he rysyth from slepe, he braythe oute a lowde, wherwyth in openyng of hys mowth commyth owte a mervelouse swete & aromatyk savour, so that, throughe the plesante odoure therof, other dyuerse bestes folows hym; A monge whom sum tyme he takyth hys pray. And thoughe he be a meruelouse crewell beste, yet he is very cortes & kynde to soche as socoure hym or eny of hys (as plyny testyfyth) which shewith how a pon A certen tym hit chaunsid the whelpes of a panther to fall in a dyche & cowde be no meanys gett owte but as they war holpen that season by the socoure of a certen man; Wherfor the panther, perceuyng the mannes kyndnes (be cause he wolde qwyt hym a geyne & do hym on pleasure for a nother), Wher as the man was in wyldernes & oncerteyn of hys wey, he cam w^t^ mery chere & countenaunce toward

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[a] Isidore, Ethimologiarum, 12
[b] Isidore, Ethimologiarum, 12

[33] In the text the title of the chapter 'Of the Panther' is given on fo 154r but then there is nothing written until fo 155r, where a different scribe has written the whole chapter, with the title given there as well.

hym, kepyng hym company as hys savegarde, & wolde not for sake hym, ontyll he hade browght hym in the hye wey, and so ryde hym owt of daynger. [**fo 155v**]

The Sqwyrell

A Sqwerell is a prety beeste bygger sumat than the wesell but not so longe. In ynglonde hit is well knowne. The sqwerell is rede of body & whit in the bely; he is very nymble & lyght of body; he inhabith & bredyth in trees & wull lepe very lyghtly from tre to tre. Hys tayle is to hym as hit were wynges some tyme, for hit is buschyd & full of herys, as bygge in a maner as all the body by syde. He lyvyth on nuttes, gatheryng hys vitayles in somer to lyve by in wynter; And sumtyme he wull pas diuer waters by stondyng a pon a lytyll styke & holdyng vp hys tayle to the wynde wherwth, as Alexander seyth, he saylyth & so scapyth the daynger of the waters & floodes.

Of the Mole

A mole is a beste lyke vn to A Ratt but Sche hathe no longe tayle; thys best is blynde and so shall her posterite be. She hath a nose lyke a sowe wherwth she rotyth the grounde, Etyng & gnawyng the rootes therin. This best hatyth the sone & hys brightnes, and cannot in dure longe a pone the erth. Hys skynne is blake & fyne; hys legges very shorte & brode fete, havyng partycons & diuisions in them as men haue in fyngers And tooys, Thys moche seyth plyny. How behit Aristotle seyth that euery beste which engenderth lyke in hys kynde vn to hym hath yyse except a mole which hath no yyse apparent, but yf a man fle hyr craftely, he shall fynde wth in certen tokens & fygures of the yen, whiche wher hyd before. And some thynke that hyr skynne afore she dyith shalbe so strayte And narow that hit shall breke asonder. And thei sey when [**fo 156r**] she is in dyyng she openyth hyr Iys wher as a fore they were allwey shytte, a cordyng to the maner of certen persons, whom the cyuyll lawe makyth mentyon of, which were bonde all ther lyffe and Fre at ther deth[a]; but soche maner of seruytude & bondage ys now antiquate and no more vsyde.

Off the Tygre

A Tygre is a moste swyft best, as swyffte in a maner as an Arowe, as Isydorus sayth[b]. He hath also dyuerse spottes on hys body and by cause hys vertu & swyftnes ys meruelouse, ther is a floode namyd after the name of hym, which hathe the most swyfte streame of all other floodes. Plyny seith also that the male tygre caryth not what be done wth hys whelppes, but the femal most strongely & charely doth defende them[c]. Also they that purpose to take eny of her whelppys a way, they ley great glassys in the way which, whan she lokyth In,

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[a] Instit. 1. 5
[b] Isidore, Ethimologiarum, 12
[c] Pliny, Naturalis Historia, 8. 19

seinge ther hyr owne ymage, she thynkyth hit is sum of hyr whelppys, & so occapyeth hyr selfe longe a bowte the glasse as thoughe she wolde take & pluck that a wey wyche she seyth to appere ther, & so ther by the man that stelyth them hathe space to rone a wey w^{t} them; And the Tygre thoroughe thys craft ys delayde & putt a backe so longe that she ys not able to pursew Farther after them. [**fo 156v**]

Of the bere

The bere doth forme & facyon her foole or yong w^{t} hyr mouthe, As Isydorus sayth[a], & that beerys be weke & feble in ther heddes, but in ther Armes & loynes the be very stronge; that is the cause that sometyme they wull goo strayt vpryghte. The bere also hathe greate strength in grepyng, for what so euer he holdyth he straynyth & brosythe hyt very sore. Aristotell seyth a bere is indifferent to ete of all maner of thyng so that dyuers tymys he wull ete fruet & that causythe hym to clyme a pon trees, And sum tyme he wull breke the bee heves For to ete ther honey. He wull fyght wth a hert goyng vpryght a yenste hym, holdyng hys hornys wth hys pawes & so often tymes ouercomyth hym. He is a very crewell beest, wyllyng to avenge hym selfe a pon euerythyng that tochyth hym, & therfor sumtyme he kyllyth hym selfe. Yff so be he fynde owt a tre wher as beese hath made eny honey, he clymyth vp a pon hit craftely, gettyng & conveying owte the honye at sum hole of the tree, resorttyng vnto the tre often tymys when he is hongrye. Wherfor the hunters ther a bowght percevyng the same sett many tymes sharpe pales a bowt the tre ther as he doth resorte, And ouer the hole where the honey lyeth they hange very sotelly a greate hevy mall, so that when the bere clymyth to the hole & spyyth hyt couerd wth the mall, he puttyth hytt a back w^{t} hys fote & then hytt reboundyth to hys hede backe a geyne, which grevyd ther wth drevyth hyt backe a geyne wth more violence, and then the more swyftely retornyth a geyne & gevyth the sorer stroke, In so moch that the bere so weryd And betyn w^{t} the manyfolde strokes therof, at the last fallyth downe [**fo 157r**] A pon thes sharp paales And so sleyth hym selfe thorowghe hys owne foly.

Off the Foxe

The fox wrappyth & foldyth hys fete inwarde as he gooth & a pon that hathe hys name in laten *vulpes quasi vulpes*. He is a very sotell and deceytefull beste, for whan he lackyth mete he Feynyth hymselfe ded & so catchyth the fowles that descende a pon hys

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[a] Isidore, Ethimologiarum, 12

carkes to ete of hyt, thynkynge he is caren; he than sodenly rappyth at them and so sleyth and devowryth them, this seith Isydorus[a]. Also he fyghtyth a yenst the brock for hys mansyon, whos hole he pollutyth & defylyth w^th^ his donge & vryne, & so not by strength & violence but by gyle & deceyte hathe victerdom of the brocke. Hys habytaton is most in places vnder the grounde & ys more vsyd to devowre tame bestes than wylde. He hathe a stynkynge breth & a venemouse bytynge, in a maner, as plyny saythe.

Off the Vnicorne

A Vnicorne is but a smale Beest in comparyson off hys strength and for hys bygnes hathe but very short legges. Ther is no hunter can take hym. His colour is after the coloure of a boxe tree. He hathe one horne in the myddes of hys forehede from the which the elephant, For all hys great & stronge body, is not able to save hym selfe; thys horne he wull store & make sharpe a yenst he wull Fyght, for often tymes he wull Fyght whyth the elephant & styk hym in [**fo 157v**] the bely w^th^ hys horne, by the reason of the which he overthrowyth the elephant meny tymes. Thys beste feryth nother swerde nor knyffe. He in habytyth on hyghe mowntaynes and vsythe mooste sure forestes & Wyldernes, but yet he is takyn by a meruelouse crafte. For a Virgyne mayden is set in the woode a lone whom, as sone as he espyth, he levythe all hys fersnes commynge myldely vn to hyr, as hit ware honorynge & doynge reuerence to the clennes of the chaste body, leynge hys hede in hyr lappe ther lyinge, as he war in a slepe or traunce, wherby honters stele apon hym & so take hyme w^th^ owt eny resystynge, bryngynge hym[34] to a kyng or prynces palace; ther to be shewyd openly and to be lokyde a pone as a goodly and a worthy spectacle.

But nowe for as moche whe haue spoke suffycyantly of iiij fetyde bestys, we in tende to diuert & torne owre style to byrdes; wherfore Fyrst, as moste pryncypall, whe shalbe gynne at the egle.

Off the Egle[35]

An Egle ys a qwene a monge all byrdes optaynynge Pryncypalite, she is also, as plyny sayth, most liberall of all byrdys, For she woll not ete by hyr selfe a lone the pray that she takyth but geve parte to other byrdes except she be constraynyd by very sore honger & therffor when she hathe cought eny thynge to her praye other byrdys wull flye after, by cause they trust to haue parte therof. And yff [**fo 158r**] so be that her pray be not sufficiant for hyr than (lyke as a prynce which lyuyth by hys comen welth[b]) she takyth sooche on a monge all the byrdys as pleasyth her mooste & settyth hit in the myddes a monge them. Moreouer

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[a] Isidore, Ethimologiarum, 12
[b] Cod. 10. 1

[34] In the manuscript there is no word after 'bryngynge' and I have inserted 'hym' to keep sense.
[35] In the manuscript the chapter title is underlined by a later hand.

plyny sayith that the Gerfaulcon & other haukes that day which they here the Egle they wull scasely weyte to cache eny maner of pray.

Ther is no byrde that hath more poure to pronounce the trewthe than the Egle, For we rede that how sometyme an Egle prophesyde in shaftesbery whos prophecy remaynenyth as yet open & playne in cronecles. The Egle fleeth hyer than eny other byrde & is neuer excludid from the secretnes of Iupiter hym selfe. Her syght is so clere & qwycke that she a bove, in the hyeest parte of the ayre, woll spy the smalyst fyshe in the botome of the seey. She woll also (which no beste elles can) fasten hyr syghte a yenst the sone. Also when the people of locres fowght ayenst them of crotony hyt is seyd howe an Egle floo ouer them of locres which wer very few in nomeber & that tyme they hade victordome of ther enymys, which war in maner an infinite multitude. The tyme Also that hiero made Fyrst war, an Egle sodenly lyghtyd a pon hys shelde as he was goynge Forwarde & after that he was made kynge. Forthermore that same day that Alexaunder the great was borne, ij Egles stode all day longe restynge them a pon the top of hys fathers palace, whiche was a pronosticacione of ij Empyres of Europa And Asia to be vnder hys subiectione. My good lorde also the Erle of Salesbery was wont [**fo 158v**] to take of a good lucke & fortune to come when at the beseedgyng off[36] townes he sawe eny Egles fle ouer hys hooste, for many tymes after they made a goode ende. And here to plyny a greeth, sayyng that the Egle naturally is wonte to folowe thes noble men & soche as be of great strengthe & poure.

The Egle hathe the one fote close lyke a goose wherwth she gydyth her selfe in the water when she descendyth downe thytherwarde for her praye, as aristotle seyth[a]. The Egle is very crewell a yens thyr yonge byrdes; specyally when they close ther yyes a yenst the sone, for than she thynkyth they be chaynelynges & not hyr owne byrdes. The Emperoures of Rome of Auncient tyme vse to bere a blacke Egle spleyde, in a golden felde for ther Armes as here; of the which Armes I spoke a fore in the thyrde boke in the chapter of the golden coloure. And he berith egle in token that he is hede and pryncypall of all men as she is shefe and pryncypall of all byrdes.



Of the Sparehawke

A Sparehawke is a byrde for a kynge better aremyde in stomak & hart than in body and talentes: for that which nature hath whith drawne in qwantite of body she hathe recompensyde in vertew & hardnes. The most strength of thys hawe is in her brest, hyr talentes & hyr beke: wherwth qwyckly she pyckyth owt the brayne of her pray. This hawk is

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[a] Aristotle, De animalibus, 12

[36] In the text "offof"

of dysdaynefull nature, wherfor yf by eny chaunce she [**fo 159r**] myssith of hyr pray she fleeth to, she woll onethes that daye retorne to the fyst a geyne. Hytt is necessary that the dyet of thes hawke be well orderd that hytt be not to lytle nor to moch; for of abundant mete they wax fatte & than they wulbe proude & slouthefull so that they wull dysdayne to com often to recleme. They be borene on the lefte honde be cause they may receve ther mete of the ryght honde of the berar. Smoke hurtyth them greatly, as plyny seyth, and therfor the mutynge house ought to be set far frome the Smoky places. Hit be tokenyth therfor hym which berythe Sparehaukes in armes to be a nymble[37] & qwyver warryar wich is stronger armyd in hart than body. Of thes hauke spekyth the poete Ouide sayinge whe hate the sparehauke for she is alway occupyde in warrys: *Odimus Accipitrem quia semper viuit in Armis*.

Of the Aliet

An Aliet, as is made mention in the glose of the xxiiij Chapter of deuteronomy in the byble, is an hauke of the kynde of a falcone: very gredy of hyr pray & very hardy, for she wull invade byrdes that be moche bygger than her selfe; Smytynge them wth her brest & fete. Howbehit some sey she is a very lytyll hawke & vsyth to fle at smale berdes, As in certen versys of an olde Author is conteynede And mentyon made:

Optinet Exiquas Alietus Corpore Vires
Sunt & Aues Minime, preda cibusque suus
Exprimit hic Aliquem qui Solos vexat egenos[38] [**fo 159v**]

Off the Heron

An heron is a byrde of whight Coloure, havynge red byll & legges. Hys nest can not be fownde & therfor sum thynkyth he is engenderd of aschis, that is cast owt of a towne callyd Ardea wherfor he hathe hys name in laten. Thys cyte is in Italy a pone xviij myles frome Rome, and of the feruent hete of the contrey a bowte hit hath is name. Some sey the heron hath is name in laten called *Ardea quod Ardua petat* be cause he flyyth on hyghe & couetyth to hyghe places.

Off a byrde callyd in laten Harpia

Harpia is a byrde, as aldelynus seyth, beinge in the farther partes of the worlde[39] in wyldernes, conuersant nere vnto the see callyd ionene. Thys byrde is meruelouse Rauenowse and neuer in a maner satiat. He hath mervelouse great talentes, to rent and tere all wey redy. Thys byrd hath a mans visage but no vertu of a man in hym, for of fersenes he passyth the mesure of eny man. Thys byrde the sey wull sley the fyrst man that he seeth in wyldernes

[37] In the text 'mymble'
[38] The Latin quotation is in a later hand
[39] In the text "wordle"

And than, as he fleyth to the water to drynke afterwarde, & seeth hys owne visage lyke vnto the mannes whom he slewe, than he is very sory therfore; And some tyme ponyschyth hym selfe so sore by the reason therof that he absteynyth frome mete ontyll he dye, and so he bewaylyth the man which he hathe slayne all that tyme of hys lyffe.

Of the larke

A lark as alexander saythe hath hys name[40] in laten callyde *alauda* by the reason of laude & prayse, for insomoche as this byrde a bove an hyghe in the ayre whith hys wyngys sprede [**fo 160r**] a brode and hys swete & plesante notes dothe pronosticat the fayrenes or[41] foulenes of the wether, both for the solas & provisione of man. Therfor the people commandyth hym and set by hym gretely. And for great laude of hym hade hys name gevyn hym, as sum sey callyd *alauda* in laten. How be hit, to plyny namyth hym *galerita*. Thys byrde syng neuer in fowle & rayeny wether lyghtly, but in the mornynge, at the brekynge of day, he sygnyth a lytyll; in token that the daye is comyng. When he restyth a pon the grounde he neuer syngeyth, but as he rysyth vp & ascendyth, than he syngyth a loude & so by lytyll and lytyll mowntyth hyer & hyer. But whan he descendyth he cumyth downewarde very fast sodenly, as hytt wer a stone. And in his descendynge he holdyth hys wyngges close to hys body, waggynge in & owght hys tayle a lytyll, wherby he reulyth hym selfe. Thys byrde, when he is yonge, is taken & kept in a cayge, wherin if he syng at eny season he doth openly testyfy he hath great wronge that he is not sufferyd to be a brode in the ayre at his lyberte. He feryth the hawke so sore that whan he is pursuyd he yeldyth hym selfe to the manys hondes to be taken, knowynge very well that in the man is sum pety & mercy but in the hawke is neuer none.

Of the byrdys in paradyse

The byrdys off paradyse hath ther name so callyd comenly not because they com owte of paradyse but by the reason of ther feyrenes & goodlynes, for they be so delectable & gloryous to the syght that, as a man wull thynke there[42] is no coloure than wan [**fo 160v**] tyth in hym but dothe appere ther most freschely. They be as bygge in quantite as geese. They haue so pleasaunte & swete a breste that[43] they wull store a man to grete ioye & devotyone. Yf eny off them be caught in a snare They make great mornynge after ther maner & wull not cease ontyll they be restored to lyberte a geyne. Thes byrdes resort gladly & inhabitith for the most parte a boute the floddes of nyle, for very syldome they be fownde in eny other place. Ther be also other byrdes in thos parties which be callyd byrdes off paradyse be cause men cannot discerne from whens they cam or whether they wole retorne, nor by no meanys ther

[40] In the text "nane"
[41] In the text "of"
[42] In the text 'the'
[43] In the text 'thatthat'

cootynge nor bredynge can be perceuyd of eny man; but certen tymes a grete cumpany of them gatherd to gether, enter in to the contreyis ther as they in habyth & so lyvyth & gooth from those parties a geyne, but the coloure of thes is broune or pale And the be sumwhat lesse in quantite than chowghes.

Of the butor

The butor, as alexander neckam seyth, hathe hys name geven hym so by the reason of the sounde of hys voyce; which hath longe legges and a longe necke, w^th^ a very scharpe byll. Hys coloure is very lyke the erthe. He inhauntyth most a bowte pondes, for he covetyth the fyshe gretly; he wold stond very styll & quietly whan the son shyneth feruent & hotte a pon the bankes syde of the water, In somoch that whan a man beholdyth hym he wul thynke hit is other some dede byrde or els sum other onmoueable substance or mater, wherfor he is the [**fo 161r**] lesse suspect to the onwary Fysshes, for thoughe he haue a longe necke yet he can so craftely croke & schrynke hitt in warde that the fysche thynke many tymes they be far Inowe owt of hys reeche, whan they be gretely in hys dayneger, for he wull sodenly onwares streche owt hys necke a far or they be ware & so takyth them. This byrde when he perceuyth he is takyn in a gynne or a snare he woll lye styll, as thoughe he coulde no hurt nor harme, but whan the fowler commyth to take hym & putteth forth hys honde, he peckyth at hym sore w^th^ hys stronge & scharpe byll[44] so that if he be not very wyse to make good schyft for hym selfe he shall bere many schrode strookes. Wayt he holdyth all wey hys longe & scharpe byll vpwarde, bothe slepynge & wakynge, for hys defence; when the Goshauke thynkyth to take hym he ronnyth a pon the buters byll & so sleyth hym selfe. In tym of sprynge of the yere only he puttyth forthe a very horryble voyce in stede of a songe, but yet he cannot do that as men saye but if he dype hys hede vnder the water. Hys flesche sauoure very swetly when hit is rostyde & hys talentes be holsome to pycke men teth wythe & to clense them when nede is.

Off the Dove or pygeon

A Dove is a great venereall beeste & moche in clynede to the lust of the body. Ther Fethers, a bowt ther necke, be of many dyvers colors. The be very tame byrdys & love well the compayny And felyshyp of men. They brede and haue yonge all tymes of the yere, yf they haue a warme mansyon And be set nere the company [**fo 161v**] of men wher as they may haue mete Inoughe prepared for them, but they haue better brode in haruest then in springe of the yere or in somer by cause of plenty of corne, as Isidorus seyth. Aristotle seith Also that a pygeon is a maruelouse voluptuouse beest & therfor a fore the cootynge to gether

[44] In the text there is a gap where I have inserted 'byll'

they kys eche other and thoughe the cok som tym be so olde that he is not abull to engender more yet he wull kys styll[a].

He seythe that at a brode lyghtly for the most partie they brynge forth a coke & a hene together, but the fyrst is the cok And som tyme they brynge forth the on one day and the other the other day: how be hit the cok syttyth on the egges in the daye & the hene on the nyght, but the hene is more diligent a boute hyr yonge than the cok & they ley egges x tymes a yere, Sum tyme a xj tymys, sum tyme xij[b]. Also when the hene syttyth a brode & hath brought forth yonge, than the cok gydyth & kepyth them & whan they wex sumot bygge the cok goith & sockyth salt erthe, berynge hit in hys mouth to hys yonge, fedynge them wth hit for to accustome them to mete. And whan the cok wold have the yonge to fle from the nest, than he wull trede the yonge. Other propertes be toochyd of the dove in holy scripture, as towchynge thes verse *aculi tui columbaru* & wher[45] in the coment ther a pon hit is seyd a dove hathe no Gall & hurty no body whith hys byll but hys felowe & coegall. For hys songe he gevyth after the maner of a morenyge & gronynge. He wull cause hys felowes that wander and stray a brode to as [**fo 162r**] sociat & gather to gether for he lovyth company, and to fle in a Flocke to gether wth them. They wull ete no caryn. Ther residence, For most parte, is a pon smale runnynge ryuers or sprynges. They wull spy the hauke cumynge towarde them a farre of by hys shadowe & thene they fle a wey at ones & hyde them in ther holys. Also a dove is a messenger of peace; a byrde of cumfort; A fygure of inocency; clene of nature; plentyous of broode; An example of pety; a lovyar of felouschyp & company; & for getfull of wronges & in Iuryis. The thicker they be of Fethers, the more plentiouse they be of generatone. And therfor soche pygeons as be roughe fotyd ley eggys & haue yonge lyghtly wth in a[46] month. A pygeon is naturally ferefull: she thynkyth she is neuer save and sure but when she is in hyr hole, wherin she restyth herselfe somot. She is very forgetfull of in Iurys & wronges done to her: For whan on haue stolen a wey hyr yonge owt of her hole she wull not leve for all that to bylde a nest & brede a yen in the same place.

Also a dove may be made so tame that sche shall be tought & instruct how to deceve other of her kynde that be wylde: For she shall company her selfe a monge them, wher as a nete is layde to take them, And be cause she may the more craftely decevethe wylde pygeons she wull enter in to the fowlers net & suffer hyr selfe to be tangeld in hit & so, vnder colour of frendshyp, woll cause them to drawe nere thyther, as hyt were to reseve hyr mete & Foode, wher by ther be browght to the snare & then caught And vtterly lost. Also, as seynt

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[a] Aristotle, De animalibus, 5
[b] Aristotle, De animalibus, 8

[45] In the margin is written, 'Canti 28 lo'
[46] In the text "a a"

Ambrose reportythe, in the londes off Syrya, egipt & Alexandrye doves be tought to be as messangers, [**fo 162v**] to carry letters from on contrey to An nother for the love naturally the places & mansions wher as they were brought vp; And therfor thoughe they war conveyde neuer so far to straynge counetreyis, yet they wull retorne to ther owne paretyse a geyne when they be restoryd to liberte. Neuer thelas thes letters which pygeons carry be sumtyme cause of ther owne deth. By thes forseyde thynges the propertese of pygeons & doves be open ynoughe; of the whiche some be good & some be bade. And ther for ye most worke after them in gevynge of armes thys wyse: if so be a monge eny brotheryn ony of them have be trayed the other than he may bere doves in hys Armes by cause certen dooves here a fore haue noted to be of lyke condycons.

Olde And Auncyent Sodyars whiche have byne dimyssyde from warres & heraldes also were wont to bere doves in ther Armes, levynge ther olde Armes they hade afore by cause that dooves be as messangers berynge newes fro one contrey to a nother & so retorne home a geyne lykewyse, as heraldes offices be to doo. Of thes heraldes was spoken somott (thoughe not all thynge sufficyently) in the chapter of veterans & also in the chapter of heraldes in the fyrst booke; whiche veterans & heraldes owght, for the most parte, vse the cote Aremoures of ther lordes whom they serue but yet, less ther heyres may be founde as onnoble to wth owt Aremes, The seyd heraldes schalbe bownde other to assygne them thos Armes which they bore affore, when they ware sodyars or elles soche newe armes as ther lordes gaue them at creatyone.

Nowe herapon restyth a questyon whether a Soodyar or a man of Armes [**fo 163r**] wych is dymyssyd of hys Roome or offyce owght to bere the Armes he hade a fore or els to leve them[47] or to change them & haue newe; and fyrst that they ought to leve ther fyrst Aremes is provyd by this reason, hit is specyfyde in a certen law of ciuil how he that is sent from Rome to be as a proconsull in a nother[48] contrey, ther to haue Iurisdiction & to rule that, as sone as he is dimissyd of hys offyce & retornythe home to Rome a geyne, he shal not only lese sooche Iuridictyon he hade ther, but also[49] all soche Armes as he bore ther bye he shal geve vp and vse no more[a]. But as sodyars is not of so hyghe dygnite as a proconsull, Therfor he shold leve off vsynge of hys Armys he hade by hys offyce a fore when he is dymissyd therof as well as a proconsul shall doo.

To this hit may be Answerd that a sodyar wych hath Aremes geven hym by the reason of a certen offyce he had in war, that whan he is dimissyd of that office, he owght to leve soche Aremes, and he that is successor schall were them. But if the sodiar hade aremes

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[a] Dig. 1. 16

[47] In the text 'to leve them to leve them'
[48] In the text 'nothe'
[49] In the text 'but also but also'

a fore of hys owne, by the reason of hys aunceters, or hade them geven a fore of his prince For hys connynge, Ryches or noble actes & bore soche Aremes a fore he was sodiar, than he may bere them wel Inowghe after he is dimissyd from warre. Thys solution is made by a doctor callyd baldus, one of the interpreters a pon the cyuyll lawe[a]; but yet as towchynge the other parte of the question whither a veteran dimissid from warre may chaynge hys aremes or adde & put eny more to them, to this hit may be Answeryde this distinction, that other he [**fo 163v**] was dimissid from warr thorowghe hys owne demerytt (as ther be diuers causes & trespaces which the lawe rehersith wherfor he may be dimissid) than the sodyar shal not vse soche Armes he hade a fore nor chaunge them to put eny more[b]. But if so be he be dimissid for sum honest cause, as for Age or for greate woundes & maymes that he hathe sufferde in warres wher by he is made vnable for hys offyce, than he may both ware hys olde aremes & also put to[50] more to them if he lyst, as I haue shewyd a fore in the Fyrst boke as tochynge veterans And heraldes.

Off Quayles

Quayles be the certen byrdes which have ther name in greke After an yle which they com fro which is callyd *ortigia*. Thes berdes fere the hawke greatly, for as longe as they se her they dare not ryse from the grounde. They be callyd after the comen spech of Romans *curteros* by the reason of ther runnynge, for they wull ronne maruelouse quickly & swyftly a pon the erth. They love to gether feruently in ther kynde & therfore be callynge on after a nother. They wull sone cum to gether which causyth many tymes that fowlers w^{t} ther pypes faynynge the tune and voyce of the qwayle dothe so deceve them And brynge them to ther nettes.

Off the Swane

A Swanne is callyd in laten *olor*. He is couerd all over wth whit fethers for ther is non can remember lyghtly he hath sene eny blacke Swanne & he is callyd also in greke *cygnus*. As clerkes sey, he syngyth very swetly & drawyth hys brest very longe. Hys Fethers beth white, but hys fleshe is blacke. He wull naturally pronosticat hys dethe, schortly comynge after by the reason of hys swete songe a fore. A Swanne hathe hys chefe strengthe in hys wynges [**fo 164r**] And whan he is at the poynte of deth he felyth a quill peresynge the scalpe of hys hede & so in hys swete syngynge dyyth. Wherfore to bere a swanne in aremes or he be tokenyth a Ioly synger or els a feyre and a bewtefull personne that bore hym fyrst.

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[a] Baldus, ad Magistratum, 10, *de decurionibus*
[b] Dig. 49. 16; Cod. 12. 36

[50] In the text 'putto'

Off the Storke

A Storke ys a byrde vsyd to waters & of meruelouse properte, for she wull purge her selfe w^t^ her byll as what tyme she perceuyth herselfe grevyd in her stomak w^t^ ouer moche mete; Than she wull gather a quantite of salte water of the see in her mouth & swalowe hyt downe into her bely which dothe mollyfy soo & loose the hardnes of the mete that was clotterd & compact to gether a fore that she may esyly cast vp And voyde all the superfluusnes of hytt, And so in very dede she doothe expell hitt. Thys byrde is a messenger to schewe the sprynge of the yere and at hys cumynge declarith the new tym and season. She is enemy to serpentes & therfor sum tyme she woll slee them, deuoure them & ete them. She lovyth the company of man, whiche causyth her to bylde her nest a pon the toppe of howses that men inhabit in and but if she be gretly constraynyd she wul neuer leve nor forsake her fyrst nest, but at her departynge for the wynter tyme and than she wull cast claye & erthe a pone hyr nest to Fasten the stykkes and thornes therwhith, that the tempestes & wyndes of the winter shal not destroye hyt & throwe hit downe, and at her retornynge home at the springe of the yere she wull occapy the same nest, defendynge and kepynge hit from all other that wold enter ther to.

By the fydelyte of this [**fo 164v**] byrde matrymonye is many tymes a lowede & approvyd; for after the cok hath ones chosen hys make & engenderd w^t^ her he wull neuer take other afterward but her. And if he perceve that she weynith w^th^ eny other be syde hym he wull not onlye sle hyr but Also Avenge hym a pon the a vowterer that medel w^t^ her & if he cannot sle hym he wull sle hys owne selfe or w^t^ hys byll or els be famyschynge of hym selfe pyne a wey & soo dye; wherfor the naturall phylosophers name the storke a venger of a vowetrey. He neuer tredeth hys make but in hys nest and they syttyth a pon ther egges by corse one one tyme, the other a nother tyme, so that when the coke ys a wey a Fedynge, the hen syttyth, and in lyke maner whan the hen ys a wey, the cok syttyth, as ambrose seyth[a]. Some say also that thys byrde is callyd the gentyll and petyowse berde bycause of the great pety they haue to ther parentes for, as Ambrose seyth, when they perceve by the reason of age that ther syre or dame is in Ieopardy and not able well to fly They wull supporte them And bere them vp w^th^ ther owne wynges & Fethers. Also the cok chyk of the storke, as Iannensis sayyth, wull brynge mete to hys syre & fede hym in hys ayge, In so moche that some tyme he wull renewe the decay of nature a geyne; berynge vp and susteynynge her &

[a] Ambrose, Exameron, 5

ther feblenes of hys syre which hys pennys & fethers & ther by prouokythe hym to fly & restore hym to hys olde vse a geyne[a].

Alexander neckam rehersyth a marvelouse poynte which is to be notyde as touchynge thes storkes, how that on a tyme a certen sayge man ther was [**fo 165r**] which hade vsynge to brede in the hiest parte of hys howse a peyre of storkes & dyuerse tymes he perceuyd how that wylyse the cok was absent at fedynge ther came a straynge cok to hys make which polutid & defylyd her, but she vsyde, as sone as the straynge cok was gone, to flee to a wel sprynge ther by & al to wasche her wth the water, be the reason wherof when her make retornyd all weysse homewarde a geyne to here he neuer percevyd thys avowtre, & that was proved by thes meanes: for all that tyme he neuer hurttyd her therfor nor leve her cumpany, but afterward the good man of the howse, knowynge herof & wyllynge to prove a conclusion her in at the last, waytyd hys tyme when the trew make of the storke was absent at fedynge and whan a nother came to her, medlynge wth her, & so after hys departynge how she was a bowte to retorne to the well to wasche her a geyne as she was wonte; but than the man was redy ther to dreve her a wey & let her of her purpos, by the reson wherof her make Retornyd home a geyne perceuynge than well how he was serued, but dissimylynge at that tyme, as thoughe he know hit nott, he deferred hys vengeance on tyll what season Thys good man reportyd that he sawe this storke retorne wth a great multitude of hys company and all they to gether to fle a pon her & so to rent and tere here all in peces. Therfor I thynk soche men may bere storkes in ther Armes conueniently that be avengers of avowtrye. They be very fare byrdes, whit all the body and blacke of the backe, wth longe and redde legges and a redde byll, but when [**fo 165v**] hatchyd fyrst ther legges and bylles beth blacke & by lytyll & lytyll wax more rede & Redder as they growe in age.

Off the Crowe

The crowe is a byrde of longe lyfe; chaterynge & a schreude byrde very noysome to inhabiters a boute them, as Isidorus seyth. They fede them selfe of oncleane & venemouse metes. They wex whit in ther fethers toward age and the longer they lyve they wax the blaker inwarde of ther fleshe. Also thoo they fere greatly to com nere & to tooch the egle, yet they wull pursew & charter apace after her, but they wyn not all weyis & scape fre throughe ther cursydnes, for at the last the egle, after he hath longe dessymbled wth them, Smyghtyth at them sodenly wth hys byll & meny tymes sleth them as they drawe nere vn to hym: of thes spekyth Ambrose, that to ther kynde they be very curtes, for whan ther parentes be not able

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[a] Jannensis, Ciconia

for age to gyde & rule them selfe in fleynge, for lacke of Fethers in ther wynges, than they wull supporte & susteyne them w^th^ ther Fethers & wynges and gather mete For them also for ther foode[a].

Off the owle

An owle is a very slouthfull & weke byrde to fly bothe nyght and day. He is vsyd to byde in dennes, caues & darke corners lyghtly. Aristotle seythe that he seeth better in the nyght than the day & therfor the choughe etyth her egges in the day and the owle etyth hers in the nyght. He fedyth a pon donge[51] [**fo 166r**] and oncleane meates and is hated of all byrdes. He vsyth chyrches in the nyght to drynke the oyle in the lampes. When he is a sawtyde of the byrdes than he wull lye on hys backe w^th^ hys bely vpwarde to defende hym selfe whith hys byll & fete. He wull hunt myse & Rattes, & in the nyght wull wander a brode, hydynge hym selfe all the daye tyme in holes of walles. To bere therfor an owle in Aremes hyt be tokyn the fyrst berar of them to be a slogarde & cowarde to Actes of warre & to lyve of Rape & spoylynge, off whom & sooche lyke ys mention made in the cyuyll lawe in dyuers places.

Off a byrde callyd a Calader

A Caladar as Iacobus de vitriaco & Isydorus seyth bothe ys a byrde hole of white coloure. The inwarde parte of the thyghe is medicinable for dymnes in a mannes Iyes. The Nature of here (as alexander neckam) seyth is yf she be browght to a syk man to a certeyne them that be present ther a bowte whether he shall dye or lyve, For if she w^th^draw her syght from the syke man and wull not loke on hym than hit is a token of hys deth. But iff she loke on hym hit is a token of lyffe, for she drawyth than all the syknes in the man vn to her owne selfe & so fleyth vnto the ayer wher by the hete of the sone she borneth & drythe vp the decease[52] in her & savyth her selfe and the man. To thes byrdes (alexander seyth) kynges war wont in the olde tyme to close in ther yerdes & courtes & they say that kynge Alexander the [**fo 166v**] great founde soche in the londe of perse. But as consernynge thes byrdes or soche other byrdes that saynt branden fownde in a goodly hye tre, wherof on seyd on to hym that they war spretes doynge penance in the lyknes of byrddes, I wull not sey hit is of trewth that is spoken of them, but[53] I leve hit to the Iugement of the Reader.

Off the Calender

A calendar is a proper lytyll byrde very lyke vn to a larke as alexander seyth, browne of coloure & spekeld fethers. She cherythe gretly all them that here hyr synge w^th^ the

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[a] Ambrose, Exameron

[51] In the text 'a pon donge And [**fo 166r**] donge'
[52] In the text 'decespe'
[53] In the text 'bu'

swetnes of her voyce and that causyth men to take her often tymes & to kepe her Fast in cayges. But she for all that she is kept as a prysoner yet she lettyth not on howre of the day passe but she syngyth as hitt wer on which dyd forget the captiuite & thraldome she war in & a man wolde thynke by her cherefull songes & brest she delytyth in to be kept in holde than to be att large. She taketh not gret thought for mete but reIoysyth all howres to here the tunes and voyces of other dyuers byrdes & laborith all that sche can to folowe & to fayne ther voyces. In so moche that many tymes but if a man loke in her stedfastly he shall not lyghtly iugge the voyce of her frome other byrdes. Wherfor sooche maner of men whiche ar wonte to mocke ther neyghebors condicions or by Symylatyone And Faynynge to Folowe ther propertes They may ryght well bere thes byrdes in Aremes. [**fo 167r**]

Off the Goldfynche

A goldfynch is a very lytle byrd vsyd to fede a monge thystes, And hitt is meruayle that so tender & smale a byrd shold be noryschyd w^{t} scharp thornes & pryckes of the thystells. This byrd is of blak, white & yelow coloure in the body & of red in the hede. She ys of very wyse & sotel nature, for if so be sche be closyde in a cayge & haue her mete & drynk hangynge wthoute in vessells a pon cordes so that she can no cum by them but she draw vp and downe the cordes or strynge, Thys byrde wull of her owne nature when she lysteth to ete or drynke pluck vp & downe wth her byll the vessels of the mete & drynk as hit wer a resonable man and this is a great miracle in nature, saythe Alexander, that nature sholde geve soo smale and lytle a byrde soche in tellygence which he gevyth not to the ox nor horse nor yet other grete beestes.

Off the Ravene

A Ravene is a byrd of black coloure & hathe no other sownde of voyce, as alaxander seyth, but *crus crase*. He wull loke a pone the mowthe of hys yonge yanynge & gapynge but wull menyster noo mete vnto them a fore he perceve they haue blacke Fethers lyke vnto hys owne colour, but as sone as he perceuythe they be gynne to a pere blacke, than afterward he fedyth them wth all hys poure. And therfor sum holde opynyon that as longe as they haue no blacke fethers for lack of sufficient Age, that so longe they be noryscheed wth the dewe of the ayere. Thys byrde is very clamorovse & deceytefull after hys maner for he wul be stelth carry dyuers thynges a wey & hyde them secretly. Also Alexander seith that Ravens fight sore a monge them selfe, one a yenst a nother. And alwey he that ys ouer come wyl be obbe [**fo 167v**] dient And submyt hym self to hys conqueroure whether he be male or female. To bere Ravens in aremes hyt be tokenyth those husbondes suspectiouse & gelowse, which sey ther wyfes chyldren be non of thers on tyll they may prove hit by some owteward sygne or token

or ontyll the whoman in soche conflict be fownde of the stronger parte, which if sche ouercome her husbonde ones in soche a suspection & gelousy so often tymes let hym beware of the horne.

Of the diomedites

Diomedites as Solinus seith be certen byrdes which haue ther names of one Diomedes a kynge. They be of the byggnes of swannes & of the same coloure. Ther Iise be lyke fyre & they haue tethe in ther mouthes as bestes haue. The fle in a flocke to gether And the fyrst wull lede all hys companye in order[54] and the last cumyth behynde to kepe them In. They bylde ther nestes a pon hyghe Rockes and defende them craftely from daunger of wyndes & tempestes. Sometyme they morne w^th^ lamentable voyces & be wayle ther transformacion or els by soche mornynge they pronosticat the deth of sum kynge, This moche seyth solinus & Iacobus de vitriaco of them. Yf that a man of greece which is a greke borene com vn to them They wull shew cherful & gladsome lokes a pone hym in token that they be content w^th^ his presens, And if eny of other nacyons approche nere them they wull fly a pone them & byght them. They haue longe neckes and the bylles And fete be redde, wherby they be descernyd from swannes and by nothynge els. [**fo 168r**]

Off the Gerfalcon

Off thys byrde is mention made in a certen gloose off the boke callyd *leuiticus* in the bible: in place where as is treatyd of onclene byrdes which be forbyd to be eton. A monge all noble byrdes thys is cheffe & pryncypall of a coloure lyke the element. How be hit the most parte of her body inclynyth more to the white save her brest & wenges, wherin sche resembleth more clerely the coloure of the element or of the ayre. Thys byrde is so stronge & myghty (as the seyd glose rehersyth) that she wull take and ouercome the egle and she is of soch great corage & hardynes that after she is let fly at v craanes at ones & dyuers other foule also she neuer geveth vp porsewynge after the seyd byrdes on tyll she hath bete & throwne downe to the grounde thes v craanes on after an nother. And than the falconer hath a spanell made therfor wich schal take & fle as meny of the byrdes forethw^th^ as so be cast downe. Thys hauke wull ete of no flesche that hathe bene kept eny wyle but of soche as is fresch & new kylde. Sche mowntyeth very hyghe & in descendynge downe w^th^ great violence a pon her pray so she castyth hit downe. She closyth her fote fast to her brest in fleynge at her pray & so smytyth hit. And if so be her pray scape her, than she mownetyth on hyghe w^th^ great violence & for grete indignacion therof woll very hardly afterward cum to reclayme. A nother kynde of Gerfalcons ther be which be callyd sacred in laten, *Sacrit*, and thes be more valyant thane the other but they be of a browne coloure.

[54] In the text 'oder'

Of the falcon

Ther be many & dyuers kyndes of falcons as Alaxander Symachus and Theodosius seyth whiche wryt to kynge tholomey of egypt [**fo 168v**] a pystell, wherin at hys requeste they treatyd off noble byrdes wy^ch^ they call haukes as for as they cowlde fynde of them in wrytynges of olde authors. And in the same pystell they wryt of meny deceasys that the seyd haukes fall in meny tymes & of medycynes for the same, which thynges thoughe they be not for my purpose to speke of here, yet be cause hit longyth for noble men to occupy and vse soche byrdes meny tymes for ther recreacyon, me thynkyth hit shall not be inconuenient for me to toche somet of them in this my poore & rude treatyse. Wherfor in as breve maner as I can I shall schewe yow herof of the menyfolde kyndes of Falcons. The fyrst is callyde a lanarde, wherof ther be ij maner. The on hath a great hede & byll & hys fete lyke an egle which reqwyreth very grete laboure or he can be made to the game, but after he is ones made the second or the thyrde yere he ys very excellent in flyght. And the seconde kynde of lanardes is of lesse quantite & lesse sett by. Ther is a nother kynde of Falcons wyche is of other londes, thes wulbe made esyly to the game att ones. A nother kynd of them is which be of the mounetanes & thes is somat soteller & harder to make, Also ther be sum almoste lyke vnto the Egle save that in fete wynges & Iyes the resemble the falcon. More ouer ther is a kynde of them in Inglond & thes be best of all maner of hawkes, for no hawke dare fly at hys praye a fore them nor eny other byrde fle whyle they be a loft. This kynde hath grete fete, hys thyghes full of knobbes, very sharp talentes, hys lokes lyke a flame of fyre terryble yyes, the pynyon of hys wynges very bygge. Which kynde is very sone made to flee & may [**fo 169r**] contynew very moche & longe in flyght, but he fedithe very dayntely & woll ete as moch in maner as an Egle. A nother kynde ther is of them that is callyd the Gerfalcon which is moche set bye by cause they be of more moderate diat than other. Ther be other haukes which be called tersells, they be lytell byrdes for ther kynde & nature but very redy to flee at game for the be the males And ought to be Ioyned whith the femall falcons. Ther be besyde thes falcones & ther kynde other dyuerse haukes as the goshauke wych is gret of body & sone apt to be made tame. She hathe very bryght Iyes, grete fete, longe talentes and cherefull countenaunce. She fedyth also delycatly, couetynge byrdes. Sche wull in vade all maner of byrdes & ferith none. A nother kynde ther is callyd an aliett, lesse than a goshauke, they haue gret wynges for the quantite of her body, short[55] fete & talentes, gret Iyes And darke. They wolbe long or they cane be made to the fyst & therfor meny men sett not by them. The fyrst yere they can do lytell goode, at the second they be sumwat better & at the thyrde chaunge woll flee to ther game very well. Ther is a nother callyd a sparohauke, very lytle in respect

[55] In the text 'shrot'

of the other, but she is swyft & sone made to the fyst. She fedyth dayntely & woll fly at her game lyghtly. The musket is somot lesse than she & more ny the redde coloure, which wull sone be made tame & is very quycke & Redy to fly, but he can do lytyll good.

Nowe that we haue spoken of dyuers kyndes of noble byrdes we wull schew from hense forthe of ther decesys and medycyns for the same. Begynnynge fyrst all deceasys in the hede, yf haukes have eny decease in ther Iyes oynte ther Iys often wth oyle olyve. Yff [**fo 169v**] whitnes growe in ther yes take powder of fenell seede & whomans mylke warm & put hit in ther yyes. If for age ther Iys wax dyme off syght take an yron hable therfore somot hot & draw hit a pon the topp of ther beekes Ioyenynge nere the Iyes. If the holes of ther bekes be close take powder of peper & of stavesaker & blow hit thorow a qwyll in to the holes & than ye shall rubbe the rooffe of her mowthe wth the powder of Stavesagre a lone. Yf they haue the Rye in the hede put Rewe nere the holes of ther beekes & depe the Flesche they schall ete in the Ioyse of the Rewe or els put a lytyll stompyd garlyke temperde wth wyne thorowghe ther beekes & let the hauke sytt a hole day in a darke place & fast all the same. Yf she haue the pyp take her tonge & roobe hit wth a lytyll pouder off Stavesacre and a lytyll honey temperd to gether & geve here sum butter to ete. If thes forseyd medycyne auayle nott than the pouder of a caulestok dryde is goode ther for. Yf sche be owt of mesure cryynge take a bat & put pounedyd peper in hys bely & geve hit the hawke to ete, if she refuse to ete of hit Geve her qwycke Rattes or myse, Also a yonge welpe late borne a fore hit can see. Yf she cast hit vp often take stamens in weyte of the iiijth parte of An ynglysch halfpeny & as moch of comon which after he haue pounde hit cast hit a pon hogges flesch and geve hit the hauke to ete. If she can not ete hit take the whit of an egge & put the forseyd powder in hit & cast hit in her mouth. Also for the same if she cast her mete take Rawe egges & breke them in gootes mylke, after that seeth them to gether & geve the [**fo 170r**] hauke to ete & she shalbe hole. If an hauke haue the feuors geve her the ioyysse of mugworte iij or iiij tymes wth hennes flesche or els bynde her Ryght legge fast & strongely & in the myddes of her thyghe ye schall Fynde a vayne which ye most breke or mynysch as dylygently as ye cane. Ther be iiij vaynes in the thyghe, one in the ouer parte above a nother, a low by neth, a nother of the owte syde & a nother[56] be hynde, a bove the greate talent. Ye may know when an hauke hathe the Feuors herby; yf her wynges hange downe or she hange downe hyr hede & qwakyth as thoughe sche wer a colde in her Fethers or els when sche taketh her mete dayngerousely or very gredyly & digestyth hit yll. Yf she be very dry take pouder off a caulestoke, lenistic, anessede, & Fenell & seth them in wyne wth a sponefull of claryfyde honey, wych geve her

[56] In the text '& a nother & a nother'

drynke, or els geve her one day Flesche anoynted a bowte wth honey a nother flesch a noynetyd wth colde oyle of Roses. Yf she be desesyd in hyr gall cast the pouder of the flowers of wylloues a pon her mete that yowe geve her. Yff her wynges hange take of the bloode And greese of a gose & rub hyr wynges a yenst the soone therwth And geve her off the Flesche of a Fat goose to ete or els take oyle of baye & wasche her wynges & her pynyons onderneth therwth; orels ye may take the gall of an hogge & anoynte the wynges or wasche hyr mete wth the ioysse of veruen or sayge. Yf sche haue gowty wynges take levys of grounde yvye & sethe them in water, bynde them Fast after they be well croschyd to gether to [**fo 170v**] her wynges & wasche her mete in the same water. Iff she haue the gowte in her Fete or iff wormes ete Fethers let her ete gotes Flesch dypped in vinacre & wasche her wynges often wth hote vinacre & oyle of baye. Yf yow wull draw owte a broken Fether wthoute payne Take the blode of a mouse or Ratte & anoynte the rote wher the Fether grewe & hitt schall Fall owte, And then take honey & seth hitt on tyll hyt be very thycke & roll hytt ontyll yowe make hytt after the maner of the qwylle, mete For the hole wher the Fether stode a fore, puttynge hit in the same hole & hit schall cause a newe Fether to com forth ther. Also anoynte the Fethers wth the Ioysse of popye & depe here mete in the same Ioysse. Yf the hauke haue a broken bone in hyr wyngge or thyghe bynd hot aloes a pone hitt & lat hit byde on a daye & a nyght or elles bynde hit wth cokkys donge soden in vinacre. If so be she be on quiet that she wull not abyde styll on the perche or a pone the Fyst sethe myrrhe in water & sprynkyll her body w^{t} the same water & depe her mete in hit ix tymes. Yff she be deseasyd of the crampe wasche here mete whith the iouse of mugworte or Rub her fete whith wyne blode warme wherin netelles most be soden a fore & in the same wyne depe her mete. Also if she cannot mute geve hyr the gall of a cok to ete or whit snayles soden. Yf she be laxatyue geve here a lytell quantite of the iousse of an erbe callyd henbane to drynke or depe her mete in hit. She haue lyysse take iousse of wormwoode or water soden wth the same & as the hauke syttyth on the sone cast hit a pone her Fethers and her body. Yf she haue a stone in her bely geve her butter to ete, Also sethe the [**fo 171r**] rottes of Ferne that groweth on walles and a herbe callyd perceper in water & wassche her beke often ther wth in that place next the hede that[57] semeth very grene. And For that same also take herbe aloe & the powder of smallache & wrapp hytt in the hartes of smale byrdes And geve hit the hauke to ete & so may yt dy wth euery medycyne that ye geve hawkes. He that wull make hys hauke Fatt let hym geve hym beffe or porke that is of the male kynde And ye wull haue yowre hauke lene, lett her haue yonge hennes Flesch wasshed in water. He that wull haue her bytwene bothe nother fatt nor lene lett hym geve her olde hennes Flesche. Yf a man wull haue her redy to Flyght to let hym

[57] In the text 'that that'

make her Fyrst a goode gorge & set her in a darke place w^th^ lytel lyght and let hym hauke w^th^ here euery second daye. Yf a man wold she schold take a coney or an hare he most teche her when she is yonge & stay her w^th^ gesses betwene her thyes Frome the on to the other, the space off a mans honde of lenghe & than she schal take them & not hurt her. A wylde hauke most be kept longe from mete & than she wull sone by tame & let her sytt a pon welow leves or the wood of welowe or of a fyr tree. Hit maketh an hauke stronge & hardy & wel wyllynge to fle after byrdes to ete of the bloode of yonge byrdes. Also vse to bathe her in colde water & toche not very ofte her wynges, but if they hange doune. If thou wolt haue thy hauke to love the specyally well wasshe her mete in thy vryn.

These forseyd deceases of hawkes and medycens For them thoughe they be impertinent[58] to owre present purpose, yet I haue browght them in here be cause [**fo 171v**] they be bothe profytable & conuenyent for noble & gentylmen to knowe, seynge ther recreacyon & pastyme ys often a bowght hawkynge. And also I thought hitt expedient to make mencione of them less I myght be compted lytyll to regarde the grete authorites of thes noble clerkes Alexander neckam, Symachus & theodosius rehersynge the same.

Off the craanes

The Craanes fly in Order ij partes to gether after a Forkyd maner, some on the on syde & some on the other & a great tayle be hynde. And whan the make them redy to batell & warre They goo thether vnder a certen tokyn and sygne of warre. For she that hath the rule of all the hooste correctyth all them that folowyth her voyce that they schal not breke ther raye & whan sche waxith horese a nother is deputyde to succede in her place. Also in the nyghte they diuyde ther wache a monge them soo that euery tenth byrde schall wake & they that soo watche stonde on the one Fote & holdyth vp the other w^th^ a stone fast in hitt, that if so be they happen to slepe the stone schall fall owt off ther fete & so cause them to wake. They that slepe holde ther heddes vnder nethe ther wynges & the capten of them w^th^ his necke stretchid owt as longe lokyth all a bowte that ther chaunce no hurtt to hys company. Also craanes if they perceue of the rayeny clowdes they woll cry owt a lowde & to cause ther captayne & leder to fle hyer And to make the qwycker spede in hys Flyghte. When they lyght a pon the grounde to fede than the captayne holdyth vp hys hede on hyghe for the defence of hys flocke And then all the [**fo 172r**] resydew fede the more suerly w^th^owt daynger, for the captayne yf he se eny straynger comynge he cryeth owght to geve warnynge to hys company. More ouer they a corde all egally & indyfferently to helpe and socoure soch of ther company as they perceve be weryd and tyrede at eny tyme in fleynge, for than they woll all gather to

[58] In the text 'impertiment'

gether euery on to hys poure to support them vp vntyll they recouer ther strength a geyne. Ther coloure dothe be wray ther Age. For when they wexe olde they be gyne to be blacke in ther Fethers. Hytt betokenythe therfor to bere Craanes in Armes that[59] he is a wyse captayne & a goode conductor of hys hooste.

Of the cok

A cok is a byrde that hath crestes in hys hede & a bowt his chekys. They know the course of the sterres & can decerne the houres of the nyght & day by ther songe. They goo to rest w[t] the sone & wull shewthe breke of the day folouyng by ther crowynge. A cok is hot and of dry complexion & therfor he is very bolde & hardy, which causythe hym to fyght strongly a yenst other cokes for hys make. He fyghtyth most w[t] hys byll & hys spores and after he hathe gote victerdome than he crowyth bye & bye betynge hym self w[th] hys wynges, that he may be the more prompt & redy ther to. When hit is far nyghttes they crowe very loude & towarde day somet soffter, as Ambrose seyth[a]. They bere redde combes in ther heddes in the stede of crounes And when they haue lost ther combes they lese also ther chefe corage & be nothynge so hardy as the ware a fore to inuade ther aduersariys. [**fo 172v**] Plyny saythe also that a coke is very quyk of syght and therfor when he sekyth hys mete he holdyth on yye downe to the grounde warde and a nother vp towarde the ayre that he may be ware a fore of the haukes commyng, whom when he doth perceve a far of than he cryith to the hennes ronnynge a wey in to some preuy corners & hedges wher he may hyde hym selfe[b]. Also the fygure of the cok is set meny tymes a pon the toppes of chyrch stepels a pon hyghe turrettes of castells w[th] hys hede a yenst the wynde. When the hennes be dede the cokes morne gretely soo that for grete sorow & thought they absteyne From crowynge. The leon feryth very gretely the cok & specyally yff he be whyte.

Of the Iaye

A Iaye ys a very chaterynge byrde & to importune in her voyce a mong all byrdes she wull not fle from one tre to a nother, but she doo chater nor no person can com by her lyghtly but she wull chater at hym. And sche is redy to folow the voyces & brestes off other byrdes not for eny plesure or delectacon sche hath in them but to chater at them. In yougthe sche is kept in a cayge and tought to speke playnly & distinctly meny wordes but if sche breke lose in to the woodes a geyne than sche fallyth to chateringe ageyne. Neuer the las some tyme hytt chauncyth whylst sche is sett all to chaterynge and takyth lytyll hede a bowght her sodenly the sparehauke stelyth a pon her & catchyth her. Thys byrde hathe as

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[a] Ambrose, Exameron
[b] Pliny, Naturalis Historia, 29. 4

[59] In the text 'that that'

many dyuers fethers as ther be dyuerse byrdes whose tunes & voyces sche folowith & hit is thought that they be of the same coloure of thos byrdes. They sey also thys byrde [**fo 173r**] wolbe made dyuers tymes & so in her madnes hang her selfe apon a tre by twene the Forkyd bowes.

Off the Chowghe

The choughe is a byrde of blacke coloure all the body, somot lesse than a crow. He byldeth hys nest gladly in holes of hyghe turrettes & soo doth a grete multitude to gether of them, for one of them can suffer another and be content to company to gether very well. They be very clamorouse byrdes & full of cryinge & specyall in tyme off generatyon & than the male fedyth the female. The chekens of them be goode mete when they be sleyne. Ther be dyuerse kyndes off thes byrdes for some be blacke in ther byllys and legges, wherof ther is greet aboundance and some be rede in ther bylles & fete which be smaler than the other & but few of nomber. They be most in cornwall & dyuerse gentylmen as hit is knowyn wellynoghe ware wont to bere them in armes which was a token that they off cornewall cam of the troians[a], For thes byrdes war Founde pryncypally in troye & therfore as yett meny Auncyent men in sygne therof bere the same byrdes in ther Aremes[60].

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[a] Dig. 37. 5; Cod. 1. 3; Dig. 1. 12; Cod. 7. 6; Dig. 33. 10; Dig. 21. 1

[60] The translation missed the next chapter after the chough. I have transcribed it from Bysshe's edition, p. 195:

De Fasiano

Fasianus a *Faside* insula dictus est, unde primum asportatus est *Palladius* ancorista. Fasiani novelli ad creandos fetus porati sunt qui anno superiori editi sunt, veteres enim fecundi esse non possunt. Feminas mense Marcio vel Aprili, & semel in anno fetus creant, viginti fere ova pariendo ordo concluditur. Galline hiis melius incubant, ab aque prohibende sunt accessu, ne petuita concludat. Farina briticia saginantur, vel ordiacia; hujuomodi farina in brevissima offula redacta oleo asperso levigetur, & ita offule faucibus inserantur ne subinfima parte mergantur, quod si evenerit, statim prohibent. Duabus feminis unus mas sufficit, quia ceteras aves salacitate non equant. Ex li. de natura rerum, Fasianus est gallus silvaticus, avis pulcra, valde pennis interscribitur, victor aures geminas habere videtur in capite plumis tantis ex quibus surrigit quando vult atque submittit. Cristis autem in capite caret & spiculis in cruribus, hiis tamen armis frustratus, animosus & audax est. Quod sciens auceps scutum ex panno lineo album facit, incujus medio panniculum rubeum ponit, quem scilicet ruborem in alto gallus attentius contemplatur insolitumque miratur, Tunc auceps herentem visum coruens in dorsum retrocedere cogit scuti conamine, donec in retia eminus peracta captivum dejiciat. Hec avis in aura pluviosa tristatur, & tunc in rubis & silvis latet. Circa vesperam vel auroram de silvis egreditur, & tunc de facili venatur. Rostrum in terra figens absconditur, & sic absconditum se totum credit. Pennas pro pinguedine mutat, iterumque sese renovat. Carnes subtiliores ac leviores ceteris avibus silvaticis exceptis perdicium pullis auctor *Plinius* li. x. Fasiani *Colchis* geminas aures ex pluma submittunt atque surgunt. Item auctor in li. x. Renibus autem, & parte tantum altera in testiculo mergitur fel fasianis, *Plinius*. Fasiani tantum coitus tempore simul habitant, ceteris vero temporibus seperatim. Nec cito rubicatas habent barbas, vel pedibus calcaria sicut galli domestici, set tractu temporis. Fasianus sic capitur aliquando, Auceps panne, in quo hec avis depingitur, opertus, fasianus se ostendit qui sequens coopertam nunc fugientem nunc retro cedentem, tandem a focio aucipis, in insidiis latitante, reti involvitur.

Off the Swalowe

A Swalow is a very lyght byrde & of a very plesant forme And schape, blacke on the backe white vnder the bely & redde vnder the throte. Her Flesche is lytle and blake but her wyngges be grete & she hath very many Fethers for the quantite of her body, which causyth her to be so lyght & quycke in flyght. Sche is a chaterynge byrde & catchyth her mete in flyinge. Sche is very [**fo 173v**] besy & diligent in byldynge her nest and bryngynge vp of her yonge, as Isydorus sayth, & sche is so crafty in conveyinge ther of that scase the dilygence of man scholde suffyce to make soche a one lyke off what soo euer mater he can gette which sche maketh onlye off cley w^th^ her lytle byll. By cause thes byrde is so swyfte & lyght therfor other[61] byrdes medyll not w^th^ them to hurt them[62]. A yenst wynter they fle ouer the seeis in to hot countreys & therfor men thynke they abyde ther all the wynter. They kepe dylygently the tyme of ther commyng & goynge, for at ther commynge hit is a tyme & token of the sprynge of the yere and of Ioyefull as Ambrose sayth. Also Aristotle seith that if a man put owt the Iys of the yonge swalowes the dame wull hele tham a geyne, for sche wull seke an herbe callyd celydony & w^th^ the ioyysse ther of a noynte ther yyes & they schallbe restoryd to ther syght a geyne[a].

Off a byrd callyd the kynges fyscher

Thys byrde is a very lytle byrd but she hathe very goodly fethers. Sche hathe on coloure on the backe by twene grene and blew, so fayre that if the sone schyne a pon hyr wull thinke hys fether war after the coloure of the Saphyre, but the coloure of her brest is as hit war borenynge coles. Sche hathe but ij tooyse in her fote & her byll is lytyll and streyte. Sche lyvyth of the Fysches & is moche vsyng a boute waters. Sche peckyth a hole in the grounde w^th^ her byll, wherin sche makyth her nest & bredyth. The people hath an opinion in thys byrde that if yow take the skyne and fethers frome [**fo 174r**] her when sche is dede and put hit in a wall the Fether schall chaynge ther coloure euery yere as though they were styll a pon the lyve body. Som men call this byrde the byrde of peter the Fyscher.

Off Merlions

Marlions be byrdes (as Alexander neckam seyth) nat moche bygger than ossels, saue that they be on lyke of coloure of Fete, talentes and bylles. The be very gredy of ther praye & be cause they be smale of body & of smale strength, therfor they flee at smale byrdes & by iij or iiij to gether in company whan they fle. How be hit iiij them woll take a swanne & sle hym, for one of them wull goo to the hed & ij to the wyngges, one of the one syde and the

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[a] Aristotle, De animalibus, 6

[61] In the text 'other other'
[62] In the text 'the'

other on the other syde & the iiijth gothe to the brest & the necke, by the reason wherof the swanne is so combred in euery parte of hym that at the last he is tyred & so slayne. And so here by ye may note that ther be certen noble men which by them selfe alone dare do nothynge, but whan they be companyd wth other, than they wull fyght manly & boldly; wych maner of persons may well bere these byrdes in armes.

Of the Osell

An osell hath a meruelouse goodly brest & plesaunt tunes, specyally when he percevyth the sprynge of the yere drauyth nere, but in wynter he syngyth no thynge. Ther was (as Iacobus de vitriaco rehersyth) some tyme an osell which whyth manes craft was tought so that he coulde syng ix notes perfytly, after goode musyke, & no musicion myght fynde[63] eny fawght in the prolation of the same notes. Thys was a gret wonder in thos dayys [**fo 174v**] a mong clerkes that a byrde not by her owne nature by the craft only of man could lerne the Syence of musyke. A tame osell contrary to hys nature etythe flesch & ther by syngyth the swetelyer. This byrd castyth not her Fethers as other doo (as plyny seyth)[64]. An osell when he is olde begynnyth to wax rede. He wull syng playne in somer but he stuteth in the wynter. Some tymes osells be borne in Armes whith owt fete be cause that thoughe they be gay byrdes yet they can do lytle be them selfe but as they ar tought by mannes dylygence. Wherby they be gretly setby & put in goodlye cayges in grete lordes & prynces chamebers.

Off the Nuthache

The Nuthache is a byrde of yelow coloure hole save that in some fethers of her wynges she is somot bleuysch, as plyny seyth. Sche makyth her nest maruelouse sotelly a pon thyn & smale bowes, In somoche that if a man be vnder the tre & loke on to the nest he wull thynke hit hangyth in the ayre wth owt help of eny other thynge. Also they bylde ther nest so that the levys of the tre schall kepethe schowers from hit, thes be of the kynde of pyes but they be sumot lesse.

Off the Pellycane

A pellycan is a byrde of Egypt vsyng moche a bowght the floode of Nyle. Sche lovyth her chekens very vehamently & therfor the be very importune a pone her which causyth her som tymes to slee them & than after for gret thought therof she mornyth thre dayis contynuall strykynge her selfe in the syde wth her byll & soo wth her owne blode renewith & qwyckenyth her chekens to lyffe a geyne. [**fo 175r**] Thys byrde is nombred in the byble a monge the onclene berdes that be not holsome to ete. And if ye loke a pon thes glose

[63] In the text 'fycde'
[64] In the text there is no close brackets

of the psalter wher hyt treateth a pon thes wordes: *Fattus sum sicut pellican usther*[a] Yow schall se meny noble & vertuous thynges as towchynge this byrde. A nother cause of the pellicans chyckens schewyth Iacobus de vitriaco seynge ther is a byrd in egypt that hathe very gret wyngges and but a very lene body, For what so euer mete sche etyth & reseuyth, hitt tarryth not whith her longe, but she a voyde hit very sone, For she hathe a very sleper gutte & therfor sche holdyth not her mete ontyll the full corporation therof. The serpent hatyth thes byrde very sore & therfor wylst she is owte a fedynge, he crepyth to the nest of the yonge chekenys and so styngyth them and sleeth them, wherfor when the dame retornynge home espyeth her chekyn ded sche sorowyth iij dayes after And then at the last stykkyth her selfe in the syde wth her byll, wherby her bloode fallyth apon the chekens & restoryth them to lyf ageyne, but so[65] pyteously she shedyth her bloode that sche is gretly febled & wekyd ther by. Wherfor the chekens be constrayned to go forth of nest for mete them selfe & som of them of naturall affection to the dame fedyth her wth mete & som as vn naturall care not for her, which sche percevynge very well when she is restored to strength ageyne sche cheryscheth & makyth moch of the kynde chekens and the other sche For sakyth And wull suffer them no lenger to contynew whithe her. [**fo 175v**]

Off the parthyche

A partryche is a crafty & sotell byrde For she woll stele here felows egges and brynge them vpp, but her deceyte a vaunetageth her but lytle, For whan they here the voyce of her owne dame, by a certen naturall instigation, they leve her that browght them vp, And retorne to here that browght them forthe. A partryche makyth her nest a mong thycke places of thornes & bryers And whan a man commyth nere the nest the dame woll com owt toward hym of her owne Fre wyll, faynynge her selfe lame or weke not Able to goo or flee as thoughe the man may sone cache her And for no nother cause sche faynyth her selfe soo but to brynge the man far from the nest that he espy hytt nott & so after to flee from hym & to deceve hym.

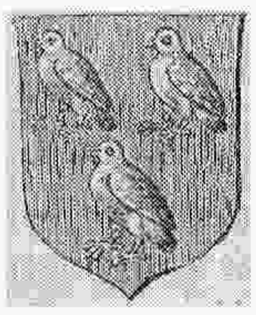
Plyny seyth also that wylst the cokkes fyght for the hennes they that be conquerors trede them that they haue ouer come in the stede of hennes on naturally for they be so heddy & hasty throughe ther grete lust that they for gete ther kynde. They sey also that the femalls

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[a] *Leviticus*, c. 11; *Deuteronomy*, c. 8

[65] In the text 'she'

be so hott off lust that the wull conceve only by the sauoure of the males And in the tyme of ther lust ther tonges hange owt of ther heddes for very hete through grete desyre of cotynge and in ther cotynge they make a grete stynche, as alexander neckam sayith. When partryches be taken in a nett by the fowler one wull folow stylle after a nother in to the nett, not descernynge the thraldome of the prysoner, hys felow nor the Ieopardy therof. They woll sytt in the nyght tayle to tayle on a genst a nother. To bere [**fo 176r**] therfor partryches in Aremes hytt be tokenyth the fyrst berar to be a gret lyar or a sodomyte. Ther was a certen gentylman, whose name I woll not schew, which by the reason of hys manhode was made a noble man by my lorde and master and he gaue iij partryches in hys aremes in a redde Fylde, as here.



And here is diligently to be marked For a generall reule: that whan soo euer ther be soche byrdes that chaunge not ther coloure by the reson they be of on coloure or by the reason of so grete diuersite in ther fethers than yow most sey he beryth those byrdes what so euer the be, not expressynge the couloure or colours of them, but only the names of them. But of thys mater I schall speke more hereafter wher as I schall in trete off talentes.

Off the Pecok

A Pecok ys a very Faire and goodlye byrd & lovyth clenlynes. She hath a hede lyke a sarpent and fethers a pon hytt lyke a creste or a crowne, hys bryste is blew lyke the saphyre & he hath a longe necke of the same coloure & a gret longe tayle full off yyes, hys voyce is terreble, hys pase & goynge very softe. Wth hys cry he dryvythe a wey all venemouse bestes, this moch seyth Alexander. Also a pecoke when he holdyth vp his tayle, yf he happen than to loke downe a pon hys fete foule then he batyth hys pryde & castyth downe hys tayle att ones. A pecok [**fo 176v**] castyth hys Fethers wth the Fyrst tre that castyth here levys & ageyne (as aristotle seyth) as soons as trees be gynne to haue levys than the pecok be gynne to haue new Fethers. Ther be many pecokes wich be hole whyte and yet the whitnes off ther wynges passith all other of there white Fethers in bryghtnes and purenes meruelously. Ther be also whit pecokes but noothynge of so Fresch & goodly coloure as the tame be. Thys byrde is of gret pryde on tyll he seeth hys fowle fete and than he batyth hys corage.

Off the Pye

A pye is a very sotell byrde havynge black & white fethers. Sche byldyth her neste commenly a monge thoreny & bryry places and dawbyth the Insyde w^th^ claye & owtewardes besettyth hytt rownde a bowte very delygently for her defence whith brambles & bryres and sche levyth but a very narow hole in the syde therof for her to gett In & owte, & that hole is in a place lyghtly soo sett that ther is no convenyant comynge ther to. Also thes byrde, when sche perceuyth that sche is coughte in a greu or snare than sche strogleth not w^th^ her body but stondyth quyet & styll onlye helpynge to onlose her selfe as moch as she is able w^th^ her byll & sche woll neuer store moch w^th^ here body on tyll sche percevyth sche is passyd remedy; This seyth plyny & Alexander both of her. A pye, when sche is yonge, wull take to pronounce after the speche of a man. And sche wull dye sumtyme For Angre when sche herith sum harde worde that sche cannot pronounce. [**fo 177r**] And they reioyse when they here soche a worde rehersyd a geyne that they hade for goten a fore. They haue broder tonges than other of the same kynde which can lerne to speke. A pye desyreth moche to stele soche prety thynges as sche is able to carry a wey, And to hyde them mervelously. Ther beth certen gentylmen wych vse to brybe prety thynges a wey nowe & than, and yet they bare no pyes in ther Armes.

Of a byrde callyd a Vyne

A Vynde is a lytle byrde sumot lasse than a pye. She wol perse trees w^th^ her byll thynkynge they be holowe. Wherof ther be dyuers kyndes, Som be black as ossels, Some yelow & blew as nuthatchys wich be somot bygger & more goodley than thes, Som be redde in the toppe of the hede, yelow in the brest, grene a boute the neck, And blew in the wynges & very bryght in the tayle. Ther properte ys euery yere ons to wex balde and specyally that tyme (as plyny seyth) when Rapes be sowede.

Of the Nyghttyngale[66]

A nyghtyngale is a very swete byrde of her brest & songe & therfor sche cheryth & gladdyth men gretely w^th^ her plesant voyce. When the sone rysyth sche reloysith & therfor sche preuentyth hit w^th^ her songe in token of gladnes. Sche syngyth only in the somer & nothinge in the wynter. Thys byrde in the begynnynge of the sprynge of the yere reioysyth so moche at the swetnes of her owne breste that very syldome sche caryth for eny mete & when sche etyth. [**fo 177v**] And Whan she etyth sche makyth gret hast that sche may retorne schortly to syngynge a geyne. Wherfor they sey this byrde hath soo ondiscrete delectacione in her songe that thorowghe ouer moch laborynge of herselfe in syngynge sche is made so feble & faynte that sche schall rather lese her lyffe than to geve vp her syngynge, and therfor

[66] In the Latin edition there was an additional opening: 'Philomena avis est a φιλσ quod est amen, & μευσ quod est dulcis dicta, quasi amor dulcis'

sche is callyd in greke *philomena* which is as moch to sey in ynglysche as Fayntynge For love. Thys seythe plyny. And as tochynge thys byrde one gret mervayle is perceved that so smale a body scholde haue so stowght a brest & so violent a sprete. Than a nother meruayle is to consyder so perfyt science of musyk in soch a byrde for mervelous swete & plesant tunes come from her som tyme drawne very longe w^th^ on contynuall breth; some tymes dyuers tunes, now hye, now lowe, nowe mene, her nootes dobled & multiplyde now & than warbelynge w^th^ softe brest alowe and sodenly exaltyd a geyne, her voyce a lowde. And than when the sprynge of the yere goith owte And sommer enterth sche be gynne to haue a newe voyce, For her brest chayngeth & waxith more & more horeser wherw^th^ here colowre batythe & fadyth also. And at the last, whan wynter cumyth, sche cannot be sene. Also here hit is to be notyd that as sone as the Nyghtyngale fallyth to cotynge a non sche lesyth the swetnes of her brest and hath a rowgher voyce & w^th^ the same as plyny seyth here coloure chayngyth Also. Wherfor as tochynge thys mater how meny & how goodly yonge men, as well nobles as other, haue I sene in my dayis w^th^ ther freche and plesant songes reioyse to passe ther tyme in Feetes and poyntes off warre therin settynge all ther dalyance, which after thei haue bene [**fo 178r**] ones maryed and copeld w^th^ beautefull & noble ladyis, than ther voyce begynneth to waxe horse ther swete brest to fayle them, ther fayre coloure to fade & ther bolde corage to slake & decay. But as tochynge thes maters I schall speke no more, for I fynde not sooche maner of byrdes borne in Aremes.

Of the Popynlaye

A popiniaye, as solinus, Iacobus & alexander seythe, is a byrde of grene coloure & a rede cyrcle a boute hys neck. He hathe a gret & brode tonge wherby he can pronounce the wordes that a man techyth hym, or that he heryth spoken as playnely & distinctly as a man shall. In somooche that if ye se not the byrde ye wol thyncke hytt was some man that spoke & therfor the poet reheresyth certen veresys of thys byrd sayynge: *parua loquax volucris dominum te voce saluto, Si me non videas, esse negabus Auem.* Thes wordes be as moch to sey in ynglish[67] this: *I, a smale byrde ful of spech salute the my master w^th^ my voyce. Yf a man se me not he woll thynke I am no byrde that spoke soo*. Thys byrde wull soner lerne to speke at the fyrst and second yere & woll kepe that he lernyth that tyme better than whan he is elder. Also hys byll is so harde that whan he is cast from a hye fast downe hedlynge on a stone he wull lyght a pone hys byll as a foundatione For hym to stay hymselfe a pon. And hys[68] hede is soo stronge & valiant that when men teche hym to speke he is able to susteyne strypes a pon hys hede w^th^ an yron rodde. He fedyth hym self w^th^ hys fote and bryngyth mete therw^th^ to his mouthe as a man dothe whith hys honde. He cannot suffere [**fo 178v**] rayne

[67] In the text 'ynglis'
[68] In the text 'hy'

longe as for other waters they can a weye wth well ynowghe but in raynge they wull dye. They wull gladly drynke wyne & therfor they be very lecherouse byrdes. They haue a certen voyce geven them naturally wherwth they ar wonte to salute emperoures; where a pon hytt chaunsid that what tyme kynge chareles of Fraunce wanderd a brode by the desertes of the londe of grece, sodenly popenyayes flede by hym salutynge onder thys maner: *all hayle Emperoure*, & so hytt fel that he was made Emperoure of Rome. Also a certen man brought pope leo a popynyaye For a present, which as he was caryd by the wey spoke certen wordes to soche people as he mete seyynge: *I goo to pope leo*. And as he was browght a fore pope leos presens then sodenly spoke a geyne, *all hayle pope leo*, wherewth pope leo, mervelously comfortyd, vsyd for hys grete recreation meny tymes after hys dayly labor the communicatione & speche of the popynyaye. Thys seyth alexaunder of hym. I thynke hyt be necessary for great men to haue some a bowte them wth whose communicacone & talkynge they may refresch them selfe some tyme and thei that reteyne eny soche for soche a purpose may well geve popynyays in Aremes; but than hit is conuenient sooche men that be so reteyned schold tell all wey the treuthe for popenyayes naturally speke the trewth & therfor Isydorus rehersyth on them thes verse: *psitacus a vobis aliorum nomina discam hec didici per me dicere Cesar Aue*. Whiche is as moche to sey in ynglysch: *I a popynyaye woll lerene other mens names of yow, but I haue lernyd thys* [**fo 179r**] *to sey Emperoure alhayle*.

Off the Turtle Doove

A Turtle, as Isidorus seyth, hath his name gevyn hyme by the reason of hys voyce for he cryeth tur tur. Thys byrde is of gret chasetite for he lovyth hys make well & kepyth hym onely to here after he hathe ons chosyn her. Insomoch if hys make dye he woll neuer after cople hym wth eny other, but syte solitarily euer after a pon dry bowys, mornynge & waylynge. And therfor seyth the noble clerke & holy man basilius: lete whomen take hede by an onreasonable byrde to prefer wydowhed a fore menyfolde maryages. Thes byrdes For ther songe vse mornynge & hurt no maner of byrde but be very patient in all wronges that other byrdes doo vnto them. A Turtle (as alexander seyth) a bove all byrdes hath a meruelouse condition for sche Fedyth her yonge by the nyght. Wherfor sooch men may well geve turtles in ther aremes that be wayle ther wyfes dethe very sore and For very pure love of them neuer maryth other afterwarde but kepyth them selfe styll chaste lyke the turtle.

Off the back

A back hathe hys name in laten *vespertilio quod vespere vtitur Alis*, by cause he vsith hys wynges in the evyn tyde, For lyghtly he fleeth neuer but in the evyn tyde & in the nyght. In wynter he hydyth hym selfe & than very seldom or neuer comyth to hys foode, he hangyth

a pone walles in hooles. He hathe no Fethers nor quylles in all hys body and for be cause he gevyth suke wth hys teates, as other bestes doo, I wolde a nombred hyme a monge them: but that he hathe tayle & wynges facioned lyke a byrde. When the leon [**fo 179v**] cytyth hym to appere a fore hym as other bestes doo than he shewyth the mesyngers hys wynges allegynge for hym he ys a byrde and whan the Egle, kynge of byrdes, sendyth for hym to appere a fore hym, than he Shewyth forth hys brode eerys, hys iiij fete, hys meruelouse tethe in hys hede layinge for hym that he is no byrde. Wherfor thes doble in constant & wauerynge people may well bere the backes in Aremes.

Off the lapwynge

A lapwynge as Isidorus seyth is a byrde forbyd by the olde lawe As on clene byrde for she byldeth her nest a monge donge & wull ete manys donge. Neuer the lasse she is a Feyre byrde of Fethers havynge a crest a pon her hede. In wynter sche hyden amonge stynkynge places and all that tyme sche is dome and at the springe of the yere sche comyth a brode & occapyth her selfe wth one voyce & importune voyce lyke a cokow. How be hit I haue not sene sooche maner of lapwynges as I schewde yow a fore for I thynke all ynglonde erryth in thys byrde but yet we name certen byrdes here so callyng them lapwynges wiche (as we se by experience dayly) hath not the forseyd conditions.

Of the Dragon

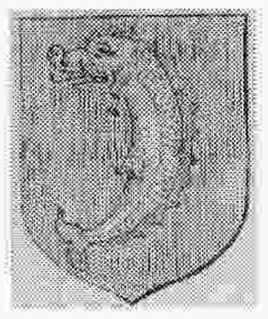
A Dragon (as Isidorus saythe) ys most gret & byggest of all other Serpentes & owte From lowe dennes onder the grounde resyth And lyftyth hym selfe vp to the ayre & so the ayre by the reason of hym is gretly trobled. And also they seey a yenst hys venome rysyth and swellyth gretely. A drachon ys cresetyd wth a lytyll mouth and drawyth hys wynde thorow smale pypes. He puttyth forthe hys tonge fare owt of hys hede, hys tethe be very scharp & lyke a sawe, [**fo 180r**] but hys strengthe is not in hys tethe but in hys tayle. A drachone slepyth syldome but watchyth alwey styll lyghtely & is meruelouse quicke of Syghte, but his syght is in tollerable to men, In so moch that wth hys loke only he ferythe a man vnto deth. How be hit I cannot perceve how that the drachon wych seynt syluester in closyd in a mountayne at Rome at the commaunedement of Seynt peter hath[69] lyued ther thys longe & schall lyve ontyll the worldes ende wthowte bodely Fode & sustinance, but iff hit scholde be by maracle. Neuer the las we Rede in the storyis of brytons how ij grett drachons war founde lyuynge vnder the erth. And also Alexander seyth lyke wyse that in the seey is founde a drachon whiche is callyd a monstre of the seeye, meruelouse horryble in crewelnes lyke an erthely drachon & he is of meruelouse gret length but he lackyth wynges. He hath a wrynkeld tayle, a very lytyll hede for the quantite of hys body. Also he hath very harde scales

[69] In the text 'hathhathe'

and a harde skynne. Whe Rede that the moste excellent kynge Arethure bore ij drachons in hys aremes, but not for the forseyd propertees as hit is thought but for thys cause: by cause vter pendrachon, which was hys father, hade a grete & longe body whith a very smale hede, lyke vn to a drachon, and therfor he hade hys name gevyn hym callyd pendrachon, which was as moche to seye as hede of a drachon & therfor the seyd kynge Arethure by the reason of the similitude of hys fathers body to the drachon And by the Reason of hys name Also toke drachons to hys Aremes.

Off the Dolphyn

Dolphyns, as Isydorus sayth, hath ther certen names geven [**fo 180v**] them by cause they folow the voyces of men or be cause they gather in a flocke to gyther to here armony or meledye[a]. Ther is no fysche in the seey swyffter than thes for meny tymes they wull lepe a fore schyppes & swym Faster than they can sayle. And whan they play and lepe a fore in the floodes of the seey then they pronosticate that greate tempestes schall fall sone after. They swyme in the seey whithe a crokyd back, swyfter than all other Fysches lepynge & spryngynge, as Isydorus seyth. Ther is also a nother kynde of dolphyns in the water of Nyle havynge backes lyke a sawe wherw[th] they cut ther tender belys of & so sleethe them. Here is to be notyde a dyfference very necessary in decernynge of Aremes. For ther be some[70] that bere the dolphyne of nyle in ther Aremes as here. And that is the Erle of forestes whiche beryth goldyn dolphyne of nyle barbyd in a rede Fylde. In French, *Ill port de gewles vnge dolphyn de nyle barb dor*. But the dolphyn of Fraunce beryth on dolphyne And ye may nother saye he beryth a playne dolphyne nor yet a dolphyne of the seey, for hit is a specyall thynge to se a dolphyne soo pryckyd on the back as I shewyd a fore And so therfor ye haue a dyfference by twene a comen dolphyn and a dolphyne of nyle which ys alwey strongly pryckyde on the backe for other comen dolphyns haue no soche. [**fo 181r**] And therfore in soche dyfferent sygnes that sygne that is dyfferent from the more commne schalbe specyfyde in Aremes.



Alexander seyth of the dolphyn more ouer if eny man ete of a dolphyn and fall afterward in the seey, yf dolphyns fynde hym a non, they wull deuoure hym. But if he haue none of ther bodyis a non they wull lyfte hym vp on hyghe a pon ther snowtes savynge hym from other fysche & so brynge hym to londe. Neverthelas by what menes they schold perceve that a man hathe ete eny of them, I cannot dyscerne by no reason but that it be sum

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[a] Isidore, Ethimologiarum, 12

[70] In the text 'For ther be some For ther be some'

secretnes of nature wherin god is shewyd mervelouse, as he is in many other workes. A greate multitude of Fysche ys all wey wonte to folow the dolphyns which whan the Fyschers perceve they folow after & so ley for the other Fysch & gettyth them meny tymes. Thys moche sayth solinus.

Of the Pyke

A Pyke yf he haue swete water & ynowghe sufficient mete to lyve by in proces of tyme he growith in gret length. He fedyth on fysch & sometyme on frogges. He woll deuoure som tyme & that meruelously a fyshe all most as bygge as hym selfe, for as he hath ones subdvyde the fysch he wull fyrst deuoure the hede of hym whith hys mouthe, whiche after he have digestyd than by lytyll & lytyll he wol swalow downe all the resydew on tyll he hath consumyd all. I have sene certen noble men bere pykes in ther Aremes wich war namyd & callyd therafter.

Nowe have I sayd hyther to off qwyk sygnes [**fo 181v**] And tokens in Aremes, werfor now ensewyth to see of ded sygnes; I mene that haue no lyffe, And because a monge all soche the sygne of the crosse is moste worthy, therfore I schalbe gyne fyrst at that, enquyrynge of yow how many dyuers crosses be founde in Aremes.

Byfore I make an Answere to thys forseyd question hytt is necessary for me to schew what is the sygne of the crosse. Wherfore I schall fyrst schewe the sayynges of Iohn chrisostome in a certen sermon of hys made a pon the crosse, which seyth in thys wyse: The crosse is cause vnto vs of all blyssydnes; hit hathe delyuerd vs fro the blyndenes of erroure; hit hath brought them to quietnes that hathe bene tossid & trobled in warre; hit hath knyt them wth god that war far from hym; hit hath made strayngers to the cyte of heven fre therof; The crosse is the very hope of crysten men; the resurrectione of dede personnes; The leder of the blynde; the lyfe of desperate; The staffe of the lame; The cumforte of the poore; The guyde of them which sayle on the seeys; The haven & porte of men in Ieopardy; the wall & defence of soche that ar besiegid; and the crosse hathe made hys passage from the place of execution & ponyschement to the forhedes of emperoures & kynges.

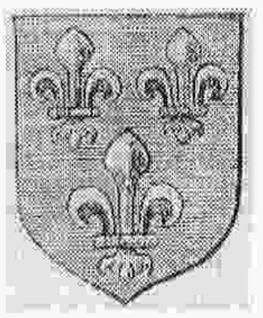
Also a certen doctor Rabanus spekyth to the laude & honoure of the crosse thes wordes: *In the crosse ys conteynyd mannes redemption from eternal dethe; In hyt is schewid atones holy conuersation; wthin hit ys inclosyd the perfection of all vertewes; by hit is sufferd & permittyde resurrection to euerlastynge lyffe; Through hit whe trust the adoption of perpetuall Ioy; and* [**fo 182r**] *to optayne the very trew felicite; In the O moste holy crosse The Angells espy ther Ioyys moste abundantely encreasyd, In thee*[1] *the dampnyd spreetes of hell perceve the iust rewarde of grete treson; Thou art equall to all, Ryghttuowse vn to all, & good vn to all; Thou renewist thynges past, beautefyise thynges present & schewys a fore what schall folowe; thou sekyst that is lost, Thou fyndest that thou hast soughte & kepyst that is founde. Thou, O holy crosse, art remissyon of synne, exibition of pyte, in crease of merit, remedy of syke men, comfort off them that be vexid & trobled, the refreschynge of weryd persons, The preseruatione of men in helth, The pleasure of them that be qviet, the felicite of all fortunate. Thou art the savegarde of the meke & lowly in ther lyffe; The abiection of the proude & presumptuouse*[2]*; the victory of Cryst; The confusion of the devyll; The distructione of infernall sprytes & the reformation of the celestiall; The deth of infidels; & the lyffe of feythfull & ryghtyowse persons.*

[1] In the text 'the the'
[2] In the text 'presuptuouse'

Wherfor the most noble kynge Arethure hade great hope & confydence in the sygne of the crosse, when he lefte the schelde of the drachons & also of the iij crownes and toke For hys aremes a syluer crosse, in the ryght syde wherof was the ymage of the blyssyd virgyne mary wth here son, in a grene felde; by the vertu of the which sygne of the crosse, he dyd meny meruelouse actes afterwarde, as olde cronicles makyth mention of.

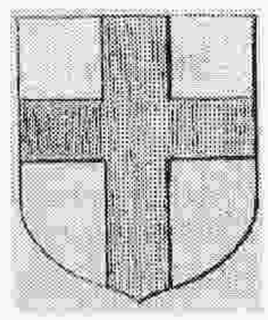
Thys sygne of the crosse was sent by gode to saynt mercury For hys aremes, as Vincentius makyth mention in a certen [**fo 182v**] boke callyd *Speculum hystoriale*, a bowte the place where as the rubrisch is made as tochinge the meruelouse voyce of Iulianus the apostata[a] & ther hit is schewyd how a certen awngell browght aremes to this seynt mercury, necessary for hym, which was a schelde of azoure & a crosse florte wth iiij golden rosys, as here apperyth. And I coulde neuer fynde that eny aremes war sent from heven but ther ware the sygne of the crosse in them, except the french kynges Aremes, which was iij floure delyse golde, in the felde of Azoure, which Aremes ware geven the seyd french kynge in token of perpetuall vengeance that schold Fall apone hym & that he and his successors scholde allweyys be in warres & ponysched wth the swerde, as I schewyd a fore in the chapter of the Azoure coloure. Now I schall retorne to my forseyd questyon, that is to sey howe many crosses be founde borne in Aremes, to the which questyon I am not Able to Answer so that I scholde descrybe the hole nombre: for dayly ther be borne in Aremes An inumerable sorte of crosses in a maner, but for to descende by corse to all soche crossys wyche I haue sene a fore thys tyme I schal, as for as I am able, schew and declare of them. Fyrst amonge all crossys, the playne crosse is to be descernyd of the which hit is dowetyd more than of eny other, bycause that sooche as be lerenyd in blasynge of Aremes hold that for a sure & trew rewle in blasynge of all maner of aremes, we most be gynne at the felde, and that coloure is countyd the felde, which is next the fote of the scochyn. But to [**fo 183r**] put yow owte of all dowght in thys[3] mater, hytt is diligently to be notyd that the seyd rewle is trew, wth a lytle additione: yf the coloure that is of the fylde be more a bowndant in thos Aremes than eny other coloure, for than w^{t}owt fale ye most be gynne ther to blase; but where as the colours be partyd equally, both of length and bredth, than ye most be gynne to blase on the ryght syde of the same aremes, havynge no respect in that case to the felde, And than if hit be askyde how beryth saynte George, hit is to be knowne that he beryth a schelde of Syluer wth a certen





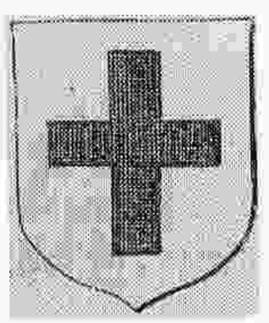
[a]Vincent of Beauvais, *Speculum Historiale*, 15. 43

[3] In the text 'in thys in thys'



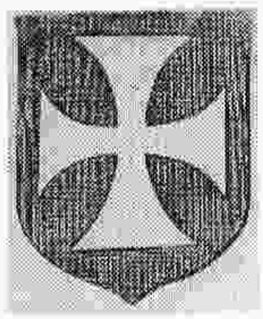
playne crosse gewles, In Frenche the sey *Ill porte dargent vnge crois playne de gewles*, as apperythe here, and after[4] thys maner all soche Aremes havynge a playne crosse must be blasyd. Wherfor they erre that afferme seynt george scholde bere a schelde of rede w^th^ iiij quarters of Syluer, And I cannot a low ther reasons, For if hitt war so a playne crosse scholde neuer be founde in Aremes.

Of a crosse equall



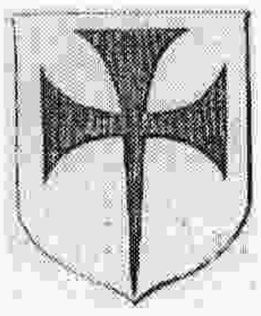
Sometyme a playne crosse ys Founde in aremes somot differente From the crosse a bove, as here apperyth, and thes be harder than the aremes a fore to blase, as is evydent here: for the endes of thes crosse toche the sydes of the schelde in no parte, wherin yow must say that he which hath soch Aremes beryth a schelde of syluer w^th^ a playne crosse of equall length. In French thys wyse *Ill port dargent vnge crois playn* [**fo 183v**] *dunglongure par tout*. And this is the difference in blasyne: that all the endes of thys crosse be of equall length & in the other the fote is longer than eny other parte, yf hit be well made, which difference schall more clerely appere in a cote of aremes than in a schelde & so here yowe haue an euydent difference bytwene thes ij Forseyd crossys.

Of a crosse pate



Ther is a nother crosse onequall, narower in the myddes than at the endes & open at the corners, as here, whych atteyneth in no parte to the hemmes off the schelde, and hit callyd a crosse patee & sooche as were them bere a syluer crosse patent in a felde of sable[5]. In french they say *Ill port de sable vnge crois patee dargent*[6].

Off crosse patee fiche

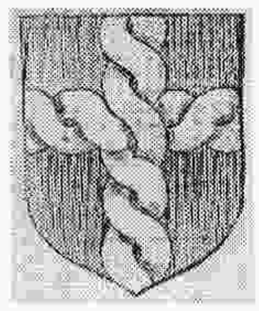


Thys patee cross some tyme varyyth from other in hys fote, as here, & than hit is callyd crosse patee fiche by cause hit may be fastend in the grounde, in the which the iii ouer partes be brode at the coreners and wyder than in the myddes & hys fote is made apt to be fastenyd[7] in the grounde. And he that beryth these Aremes beryth of Syluer w^th^ a patee crois fiche of sable. In French *Ill port dargent vnge crois patee fiche de sable*. And hit is to be notyd that ther be many crosses which may be made Fiche, as schall appere hereafter. [**fo 184r**]

[4] In the text "afeter"
[5] In the text there is no field colour given in English
[6] In Bysshe (p. 212) different blason: 'Il port de gowlez ung crois playn corde d'argent'. This was wrong as it did not agree with the illustration which Bysshe presented which I have included
[7] In the text "fatenyd"

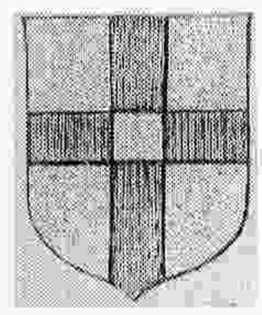
Off Crosse playne cordee

A monge all other crosses ther is founde one wych is as he war coredid a bowght & hit is callyd crosse cordee: the whych crosse I sawe late in aremes of a certen noble man, which in dede hade a grauntefather that was a cordemaker, as the seyde noble man schewyd me by mouthe. And he bore for hys armes a shelde sable w[th] playne crosse corede of Syluer, as here. That[8] is to sey in French *Ill porte de gewles vnge crois playn cordee dargent*[9].



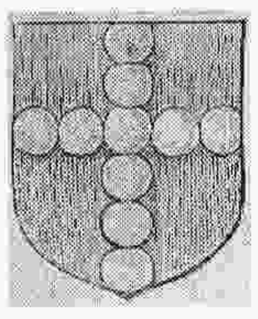
Of a playn crosse peresyd

Ther is also a nother playne crosse wyche differryth from Seynte George crosse gretly, as apperyth here, & here is to be notyde that the opinion of some which saye that thes Aremes be stakkyd or checkerd is to be reprovyd, For ther can no Aremes cheker wyse be made onder the nomber of iiij; but a bove that nomber they may welbe made, as schall appere hereafter. Therfor ye must sey he that hathe soche Aremes beryth a crosse of gewles peresyd in the myddes, in a golden Fylde. In French they sey *Ill port dor vnge crois de gewles partee*[10] *on mylyeu*.



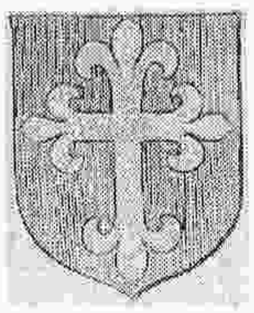
Of crosse talentyd or besantyd

Whe haue a nother crosse whiche I sawe in the Aremes off [**fo 184v**] a certen Ianuense, as here, and thys crosse is callyd a crosse talentyd for hit is made off talentes or besantes hole throwghe owte; but yet I wull not deny ther may be crosses made of thys Facione and yett they be nott talentyd crosses, but ye schall know theme by the coloure, for they that be talentyde be alwey of golden coloure & can be of no other: For talentes or besantes be alwayyse of golde, wherfor in blasynge of Aremes ye schall not expresse the coloure, seeynge hitt is ther naturall coloure for hit wer superfluouse. He that beryth thys Aremes therfor berith a talentyd crosse in a red felde. In French *Ill port de gewles vnge crois besantes*.



Off crosse Flourtee

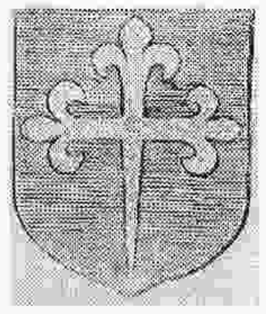
Now Folowyth a nother crosse whiche is callyd crosse flourtee, as apperyth here, for hytt hath flowres at euery ende. Thys crosse sum tyme is made w[th] a pyke at the ende & so is callyde Fiche, but he that hathe soche Aremes as be here beryth a flourte crosse of golde in a felde of Azoure. And in Frenche *Ill port dasor vnge crois flourtee dor*.



[8] In the text "thatthat"
[9] In the manuscript the cross given had a sable field in blazon and illustration. Bysshe had a gules field and as I have taken the illustration from Bysshe I have changed the field, from sable to gules, to fit with the illustration (*De Cruce plana cordata*, p. 212 "Il port de gowlez ung corde d'argent").
[10] In the text "paree"

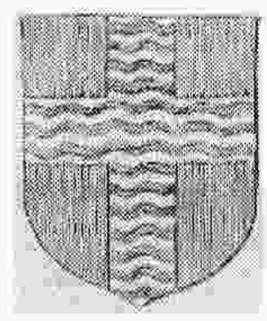
Off crosse patee flowrtee

Ther folowithe yett a nother crosse, which is callyd patee [**fo 185r**] Flourtee, as apperyth here & hitt is so callyd by cause hit hathe his endes open and in the myddes of them a thynge lyke a floure, as apperyth in this crosse. And the pocessor of thes Aremes berithe a crosse pate flouretee of golde, in a redde felde & in French *Ill port de gewles vnge crois patee flourtee dor*. Some tyme also this crosse ys borene w^th^ a pyke in the fote & than hit callyd a crosse patee Flouretee fyche.



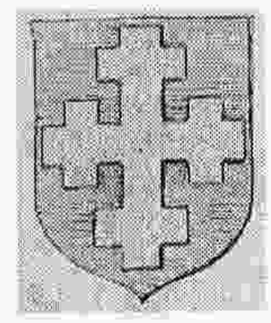
Off the playne crosse vndee

Be syde these ther is a crosse whiche is callyd vndee & hit hathe hys name by cause hit is lyke the water when hit is trobled w^th^ the wynde as hytt were waves, as here. And he that is lorde of eny soche Aremes he beryth a playne crosse vndee of Syluer, in a Redde Felde[11]. And in Frenche they seye *Ill port de gewles vnge crois verre dargent*[12].



Off the crosse croycee

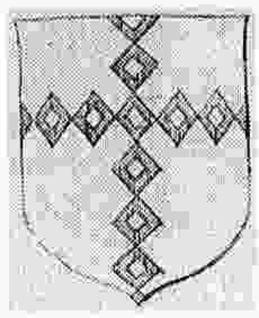
A nother crosse ys Founde callyde a crosse crose And hit is namyd soo by cause att euery ende hitt hathe a [**fo 185v**] crosse here. But thes crosse is not borne so ofte by hym selfe a lone in aremes, as other crosses be, but iff they be very smale crosses, And than the Aremes be poderd whith them. But he that beryth this crosse a fore berythe a crosse croyse of golde in a Felde off azoure. And in french *Ill port dazor vnge crois croysee dor*[13]. But when the smale crosses be putt & w^th^ owte certen nomeber then[14] ye most call them croslettes.



Off a crosse masculet

Ther is yet a nother crosse callyd crosse masculet, as here, & hitt is callyd masculet by cause hitt is made of maskelynge, of the which ye schall see wythin folowinge in the chapter of the fusilles, maskelins And losengys. And he that beryth this Aremes beryth a crosse masculate of Sable, in a syluer Felde. In Frenche *Ill port dargent vnge crois mascule de sable*. But some tyme this crosse masculat ys peresyde in the maskelins, as here And than he beryth on crosse masculat peresyd Off gewles, in a Syluer Felde. In Frenche *Ill port dargent vnge crois de gewles mascule persee.* [**fo A186r**]



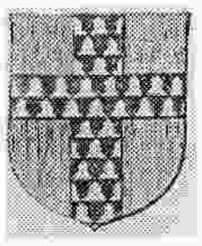


[11] The French blazon given by Blount is 'Ill port de gewles vnge crois verre dargent & sable". This does not make sense as there is no sable in the charge and none is listed by Bysshe [*De Cruce plana undosa*, p. 214]. I have corrected the Blount text by removing the reference to sable.

[12] The Latin edition has a cross which the translation missed *De Cruce invecta*, Bysshe p. 215:

De Cruce invecta

Ulterius invenitur in Armis una crux plana que fit de coloribus invectis, ut hic. Que vocatur Crux invecta pro eo quod in ea duo colores invehuntur. Quorum quidem Armorum possessor portat UNAM CRUCEM PLANAM DE COLORIBUS ALBO ET NIGRO INVECTIS IN CAMPO RUBIO. Et Gallice sic, *Il port de gowlez ung crois verre d'argent & sable*

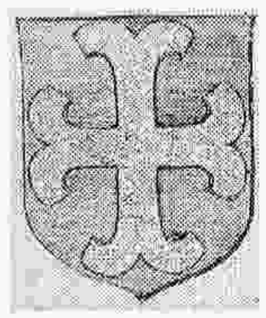


[13] Blount has not included in the blazon the colour of the cross which he has given in the English description. Bysshe's edition does: "Il port d'asor ung Croys croycee d'or" *De Cruce cruciata*, p. 215. I have corrected this in the text

[14] In the text "the"

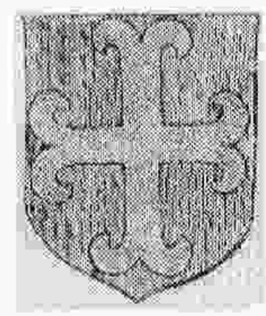
Off crosse moleyne

Now ensewith to speke of a nother crosse callyd crosse moleyne, and hit is callyd soo by cause hitt is lyke an instrument of yron in mylles that beryth vp the hyer mylstone, by the wych the stone is kept even in hys course, that hitt torne not more to the ryght syde than to the lefte, mynysterynge equally to euery one that ys hys ryght, w^th^owt frawde. Wherffor Iugges & they that haue Iurisdictions owght to bere thys crosse in Aremes, that lykewyse as this Instrument directyth the mylstone, equally so they scholde do ryght & equite to euery man. They that owe thys Aremes bere a crosse moleyn off golde, in a felde of azoure. In Frenche *Ill port dazoure vnge crois moleynes dor.*



Of crosse in versyd

Moreouer whe have a nother crosse which is callyd the crosse inuersyd by cause that the endys euery whare be torened inwarde, lyke a Rames horne. And they wyche vse thes Aremes they bere a golden crosse in versyd in a fylde of gewles. In Frenche *Ill port de gewles vnge crois recerliee dor.*



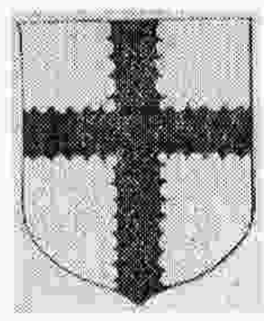
Off the forkyde crosse

Ther be Some that berythe a Forkyde crosse in ther Aremes, [**fo A186v**] As here, And hit is callyd a forkyd crosse by cause all the endes of them be clouen, lyke a Forke. Wherefore he that hathe thes aremes beryth a crosse Forkyde of sable, in a syluer felde. In french *Ill port dargent vnge crois furchie de Sable.*



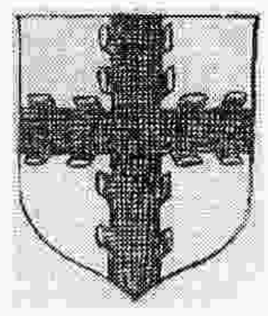
Off crosse ingrayled

Som noble men bere a crosse in grayled, as here, and hit is called so be cause no where, nor in no parte in hit, hit is playne, but hit ys ingrayled as well in the length as in the bredth. How behit thys in graylynge is not the proper spech of hit after, as hit schewith to the syght, but rather hit scholde be callyd indentyd. Neuerthelas the comene maner of spekynge in thes Aremes is to name them ingrayled. Wherfor he that weryth thes Aremes beryth a crosse of sable in grayled, in a golden felde. In Frenche *Ill port dor vnge crois de Sable engraillé.*[15]



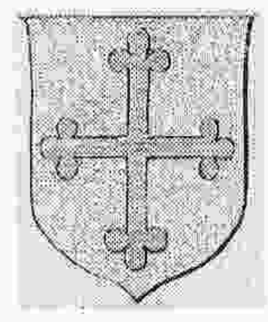
[15] In the text there is no 'engraillé'

Of crosse trunked



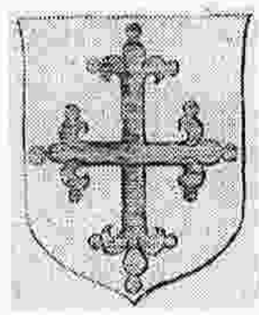
Ther Folowith yet a nother crosse which is callyd tronked & hit is borne meny tymes in noble mens Armes. Hit is callyd tronked by cause hit is made of bowyes of ij trees that war lopt, as here, & the owner of thes Aremes berith a crosse tronked of Sable in a syluer fyld. In French *Ill port dargent vnge crois recope de Sable*[16]. [**fo B186r**]

Off crosse botone or nodulat



Forthermore ther is a certen crosse callyd botone or nodulat, by cause at euery ende he hathe lyke certen knottes or botens, as here, and the lorde of thes Aremes beryth a crosse botone of Azoure in A golden Felde. In Frenche *Ill port dor vnge crois botonee dazor*. And som tyme thys crosse is Founde in Aremes fyche by cause the fote of hit is pykyd.

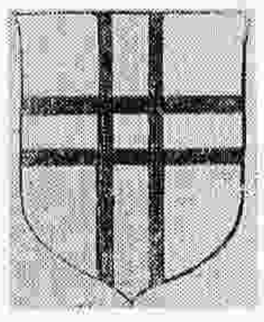
Off crosse flourete botonee



Whe haue Also moreover a certen crosse flourete, wherof whe spoke a fore, which some tyme is founde w^th^ knottes in hit, that is to sey when the knottes be founde at the endes & corners of the flowres of the seyde crosse, & he that is pocessor heroff beryth a crosse flourete betonee of azoure in a golden felde. In French, *Ill port dor vnge crois flouretee botonee dazor*.

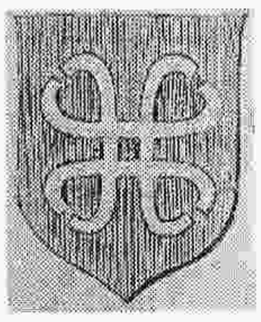
Off crosse Doble paretyd

In the Aremes of dyuers noble men ther is founde a crosse doble pareted, which is so called bycause yf hit schold be deuyded other after the length or after the bredth, yet ther [**fo B186v**] scholde remayne one Doble crosse, as ye may see here by experience. I haue knowne meny noble men which haue put more dowtes in thys crosse than in all the other a fore and yet after longe resenynge therof haue byde by the forseyd opinion. He therfore which is owner of these Aremes beryth a crosse doble paretyd of Sable in a syluer Felde. In French, *Ill port dargent vnge crois doublee paretye de sable.*



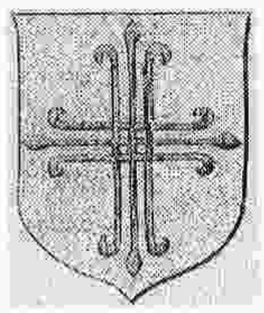
Off crosse doble paretyd flourete

But yet the forseyd crosse doble paretyd varyth Some tyme, as here, For when hit is after thys maner, than hit is callyd crosse doble paretye flouretee; how be hit onproperly as me thynkyth, for ther wantyth the myddes of the floure, as hyt folowyth in the next schelde folowynge, which myddes can be no wyse sett in thys crosse doble paretyd, as schall appere a non Folowynge. But who so euer gevyth these aremes, he beryth on crosse doble paretye flourete of gold in a Felde of gewles. In French, *Ill port de gewles vnge crois doble paretye*



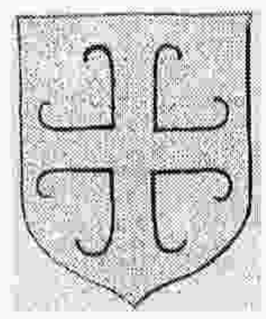
[16] Blount's original blazon was wrong, 'Ill port dor vnge crois de sable'. The correct blazon is given by Bysshe: [*De Cruce truncata*, p. 218] "Il port d'argent ung crois recope de sable". I have corrected it in the text.

flourete dor[17]. But for all that, as I schewde yowe A Fore, thys crosse as me thynkyth is callyd onproperly a crosse doble paretye [**fo 187r**] flourete, for ther lackyth in the myddes, as apperyth here, to performe the crosse flourete, wych myddes if hit be Added to hit, schall not be callyd doble partie flourete, but rather triple flourete, & then hit is blasyd ryght; for if hitt be diuidyd other after the lengthe or[18] after the bredth, all wey on partie schall remayne as paretyd in iij, in the maner of a crosse, as is evydent in thes Aremes Afore paynetyd. And therfore the lorde of thes Aremes beryth a thre paretyde crosse Flowretee of Sable in a golden felde. In french, *Ill port dor vnge crois treifois paretie flouretee de gewles*.



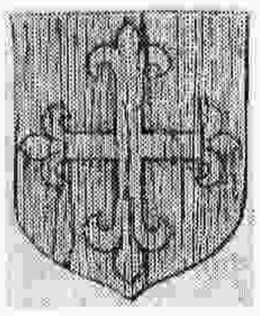
Off Crosse moleyn vmbree

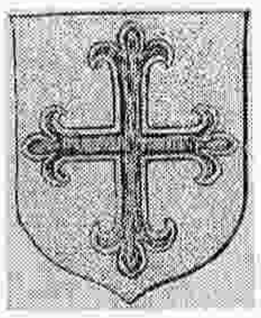
Ther is a certen dowght a monge meny of a certen shadow off a crosse moleyn, wher as hit is not all perfytly drawne owte, As here. Yow most note[19] hit is callyd as schadow, for the shadow is all wey made of blacke coloure what so euer coloure the fylde of the Aremes be, and the body of the schadow is made of lyke coloure w^th^ the felde, as here. And he that beryth thes Aremes beryth a crosse moleyn vmbree in a golden fylde. In Frenche, *Ill port dor vnge crois moleyn Vmbree*. [**fo 187v**]



Off crosse patee flowrete Vmbre

A nother example I sawe of a certen crosse shadouede lykwyse As here. And thys crosse is callyd crosse flourete pate vmbre, but to speke trewly hit is nott properly[20] a crosse, but the shadow of soche a crosse; and the reason is for the body of the sayde shadow is of the same coloure whith the fylde, And so the coloure of the felde is sheuede throrowghe all the body of the shadow. And he that hath thes aremes beryth a crosse flourte pate vmbre in a felde of gewles. In frenche, *Ill port dor de gewles vnge crois patee flourete vmbre.* But yet ye may note that, after the oppinion of some, thys shadoued crosse some tyme is meruelously perecyd, as here, & than hit is callyde crosse patee vmbre & percee for hit acordyth w^th^ the crosse a fore, except the peresynge in the myddes off the schadow. And than yow must saye that soche a one beryth a crosse flourete patee vmbree perece whith gewles in a golden felde. In frenche, *Ill port dor vnge crois pate flourete vmbre & percee de gewles*[21]. [**fo 188r**]





[17] In English Blount described the charge as sable (he did not give a clour in French) but the illustration in the manuscript and Bysshe (p. 219) both give it as gold. I have corrected the English and iserted or into the French blazon. The last blazon of the chapter is inconsistent; the English describes the charge sable, but in the French and the illustration it gules. I have corrected the English.

[18] In the text "of"

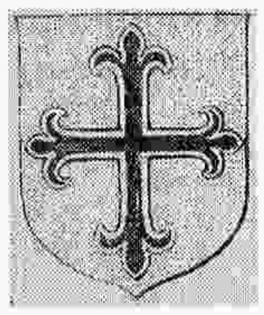
[19] In the text "not"

[20] In the manuscript this is actually, 'perproly'

[21] In the blazon Blount has not included the field colour (*or*) which Bysshe did: "Il port d'or ung crois patee flourtee umbree & percee de gowlez". In Bysshe's edition the remainder of this chapter is a separate chapter entitled *De Cruce florida patente umbrata & perforata* (p. 221). As with the previous shield Blount missed out the field colour (*or*) which was given by Bysshe

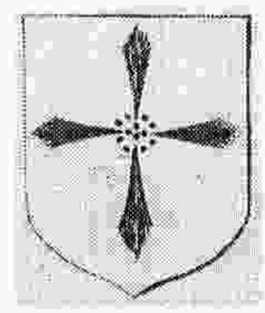
Off the crosse bordured

Neuertheles ther remaynyth yett a grete dowte a monge some, in difference by twene thys hemmyd or bordurd crosse here & the next shadoued crosse a bove because they be moche lyke, as hitt apperyth at the fyrst syght. But if hit be well percevyd ther is a grete difference, for the border off thys crosse doth vary from the other as well in the coloure of the crosse, as in the colowre of the felde & than ther is no dowghte for he that hathe thes Aremes beryth a crosse sable flourete patee percee bordured or hemmed w^th^ syluer in a golden feld. In frenche, *Ill port dor vnge crois flourete patee percee de sable bordure dargent*[22].



Off Crosse Eremyne

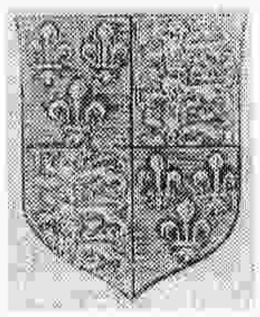
Ther is yet a nother meruolouse crosse callyd crosse eremyne, Wherin I was opposyd in london som tyme by a heralde of les brytayne; which Aremes can neuer vary in colours by no meanys and therfor thys crosse is callyd crosse eremyne. And ye most sey who so euer hathe sooche Aremes, that he beryth crosse eremyne, not expressynge the colours therof, For nother thes crosse nor thes Aremes can [**fo 188v**] be made of eny coloures than sable and syluer, as I shewyd a fore, in the Aremes of the duke of brytayne in the chapter of the wesell. In frenche *Ill porte unge crois erminee*[23].



Now that we haue spoken of the forseyd crosses, whe schall schew here folowynge of the quarterd Aremes. Off thes quarterd Aremes, some be quarterd playne, som quarterde in grayled, some quarterd irrasyd, som quarterd inuect & some indentyd, Of the which I intende to treate & fyrst of Aremes quarterd playne.

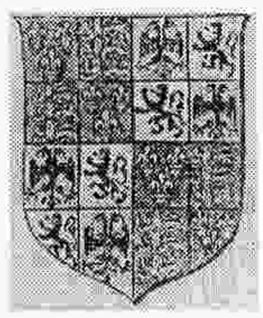
Off Aremes quarterd playne

Aremes maye be quarterd iij maner of wayis. Fyrst when dyuerse Aremes be borne quarterly, as apperyth here in the Aremes off the kynge of Fraunce & of Inglonde, which berith the Aremes of both Realmes quarterly; In French, *Ill port lez Aremez de francee & dengleterre quarterlez*. But here ye schall take no displeasure that I put fraunche Afore ynglond for I do hit for thys cause, by cause the Aremes off Fraunce be fyrst sett, whereof I haue a generall rewle: For when so euer I haue ij coloures or more in the felde, Than I may not be gyne to blase ther, but att the ryght syde is not the Fylde of the Aremes, For perauenture hit is nott the most abun [**fo 189r**] dant coloure in the seyde Aremes, but lesse or els equall w^the^ other, And then yow must begynne at the ryght syde to blase.



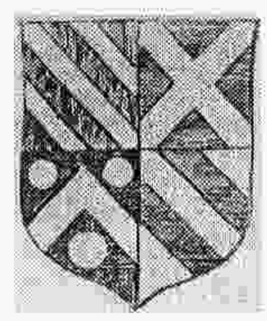
[22] In the translation Blount has missed out the colour of the field (or)
[23] The translation missed out the blazon in French, which I have inserted from Bysshe's edition, "Il port ung crois Erminee", *De Cruce Ermine*, p. 222

Off Aremes quarterd quarterlez[24]



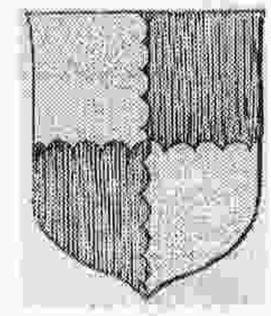
The seconde maner of berynge Aremes quarterd is when ij Aremes quarterd ar borne quarterlez, as here, & as hit chaunecyth meny tymes in the Aremes of qwenes, for the noble quene of Inglond that was kynge Richard the Second hys wyffe bore Aremes of kynges of ynglond & quarterlez. In frenche, *Ill port lez Aremez dengliterre & de l'Empire D'Almanie quarterlez quarterlee*[25].

Off Aremes diuerse in euery quarter[26]



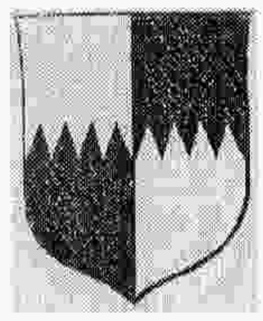
The thyrd maner of berynge quarterd Aremes ys whan iiij dyuers Aremes ar borne quarterly, as here, and he that beryth thes Aremes berythe iiij dyuers Aremes quarterd. In french, *Ill port quartre Aremes diuersez quaterlez*, & than if hit be enqueryde how the Aremes scholde be blasyd, he most be gynne fyrst at the ryght corner above which, after he hathe declared, he most goo to the seconde, [**fo 189v**] And so the thyrd & iiij[th] syde of the seyde schelde or scochyn. And here to be notyde that thes iiij forseid Aremes[27] be quarterd playne.

Of Aremes quarterd in grayled



Some tyme I schewyde yow that a man may were Aremes quarterde in grayled, that is to sey whan eche of the Aremes be in ther quarters in grayled, as here. And the owne of soche aremes beryth of golde and gewles aremes quarterd ingrayled. In french, *Ill port*[28] *dor et gewles quarterlee engrayle*, as here, & they be callyd therfore Aremes engrayled be cause they be of ij coloures which be browght in[29] order, one in to a nother.

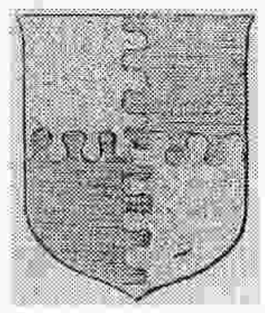
Off Aremes quarterd Irrased



Ther be also some Aremes quarterd irrased, whiche be soo called be cause the colours appere soo as thowghe the wer cut by twyxt, that on myght be taken from a nother, and he that owethe thes aremes beryth Aremes quarterd irrased of Syluer and Sable. In Frenche, *Ill port dargent et sable quarterler irrasee*.

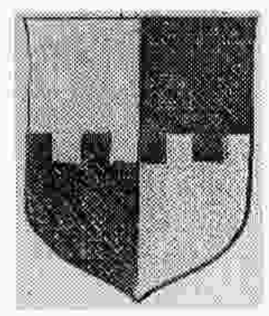
[24] In the Blount edition the illustration is missing from this chapter, but there is a space for it in the manuscript.
[25] The blazon of this charge was longer and more complicated in Bysshe: "Portavit namque illa nobilis Regina *Anglie Anna* consors inclitissimi Princips *Ricardi* secundi, *Francie* & *Anglie* Regis, quarteriatim, Arma Regum *Anglie* & Imperatoris *Almanie* quarteriata. Et Gallice sic, *Ele port lez armez Dengleterre & de l'Empire D'Almanie quartelez quartelee*". Blount missed out the reference to the Imperial arms borne with the English arms. I have inserted it into the blazon.
[26] The words 'diuerse in euery quarter', is added by a later hand.
[27] In the text "Aremes aremes"
[28] In the text "Ill port Ill por"
[29] In the text "in in"

Off Aremes quarterd in uected



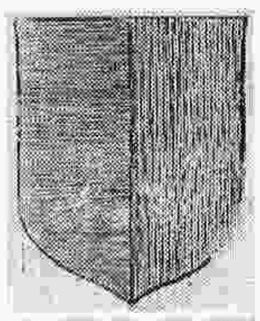
Be syde thes armes, be founde aremes in uectyd; or as some think aremes quarterd of coloures in uectyd, [**fo 200r**[30]] as here, wyche be callyd in uectyd or of coloure in uectyd, by cause ij coloures put quarter wyse be conveyde, one whyth in a nother. And he that beryth thes aremes berith aremes quarterd of azour & gold in uectyd. In french, *Ill port quartelee verre lor et dazor*.

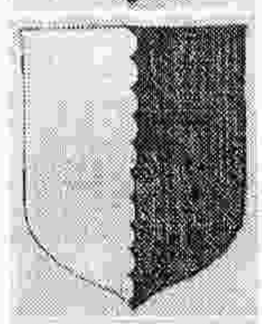
Of aremes quarterd indentyd



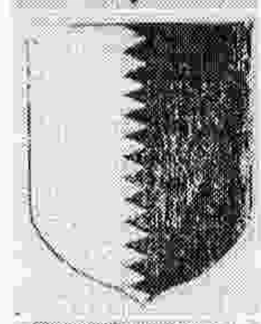
Ther be yet other Aremes founde wych be callyd quarterd indentyd, as here, & they haue ther name by cause ij coloures be conueyde one w^th^ in a nother, lyke mens tethe, as apperith in the scochyn. And he berith quarterde Aremes indentyd of golde and sable. In French, *Ill port quarterlee endentee dor & sable*.

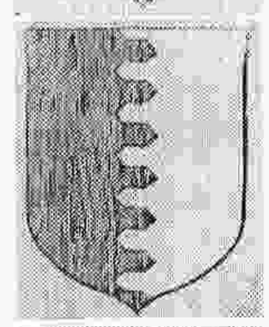
Of aremes paretyd after the lengeth[31]

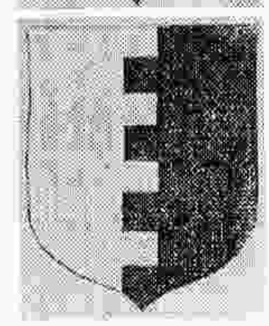




Now ensewyth to see of aremes paretyd in length, wyche partitione is made meny wyse, lyke vn to the other a fore. For the fyrst ther is a partition of ij coloures in Aremes after the length in playne wyse. Ther is also another partition off ij coloures by length ingrayled. The thyrde of ij coloures irrased. The iiij^th^ off ij in lyke maner in uectyd. And the v^th^ of Indentyd, as hit apperyth here in order. And he that gevyth the fyrst, [**fo 200v**] that is to sey ij coloures[32] paretyd after the length in playne wyse, he beryth aremes paretyd playne after the length off Azoure & gewles; In French, *Ill port dazour et de gewles playne partee du long*. And he that beryth aremes so in grayled, he most sey in French *Ill port dargent & sable engrele partee du longe*. He that beryth the iij^d^ Aremes, yow most sey *Ill port partie du longe dargent et sable irracee*. The iiij^th^ ye most saye, *Ill port partie verre du longe de gewles et dargent*. And for the v^th^ ye may sey, *Ill port partie endentie du longe dargent et de sable*. Off the v Armes here folowith the pictures in order, and ye may know a difference by twene the iiij laste to discerne one frome a nother, for thes wych be ingrayled schold be made somot lyke labelles or lyngles. They Irrasyd lyke a sawe but euer narower & narowe toward the ende. The In uectyd schold be made somot rownde & the Indentyd Flatt & brode, lyke mens tethe, as here folowith of them all ensewynge in order[33].







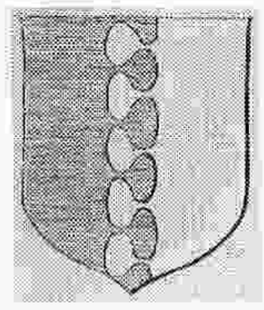
[30] Fos 189v - 200r is one folio

[31] This chapter in Blount is a conflation of six chapters in Bysshe's edition. These are: *De Armis partitis secundum longum*, p. 225, *De Armis partitis planis*, *De Armis partitis ingradatis*, *De Armis partitis irrasis*, p. 226, *De Armis invectis partitis*, *De Armis partitis indentis*, p. 227

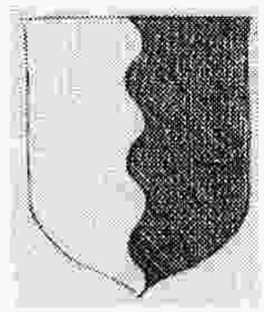
[32] In the text "colourems"

[33] In the manuscript there is a slip of parchment added here with four of the illustrations described in this chapter. The blazon for the last shield, as given in the manuscript, mixed up the colours, putting sable before argent; I have corrected it.

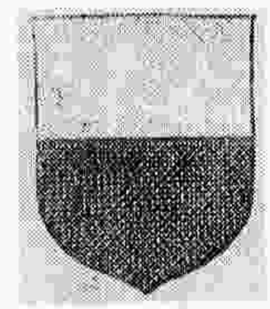
Off Aremes paretyd clowdyd[34]



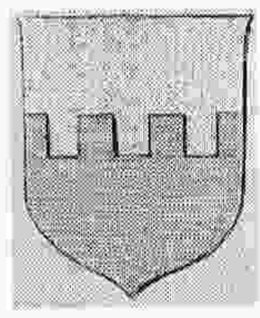
Ther be other Aremes that be borne in length, as they war clouedyd. And thes Aremes be so callyd, by cause ij coloures be conveyde in and owte in them, after the maner of a clowde as here. [**fo 201r**] And he that beryth thes Aremes beryth aremes paretyd after the length of azoure And syluer clowdyd. In frenche, *Ill port partye du longe dazoret dargent in neblee*. Ther be other aremes in length also bore after as they war lyke waues of the water, as here, & In Frenche the sey, *Ill port*[35] *partie du longe dargent et de sable vndee.*



Off aremes paretyd transverse[36]



Here ensewith now to see of Aremes paretyd transverse, wych is meny maner of wayis, as schall appere here folowynge. For Fyrst there is a partition in Aremes transverse after playne maner, as here and than he that beryth thes Aremes berith aremes parety transverse playne of golde & sable; In French, *Ill port paretye trauersee dor et sable*. And here is to be notyd that ye nede not dowte by cause of the Fyrst rewle, where as hyt was seyd ye most begynne to blase at the Felde; For that is trewe where as is moche abundant coloure. But here ther is not so but as moche off the blacke as off the whyght. [**fo 201v**][37]



Secondaryly partitione is made in aremes transverse wyche be indentyd. And he that is owner of soche Aremes barythe Aremes parety transverse indentyd of golde & Azoure[38]. In Frenche, *Ill port paretye transverse dor et asore endentee.* Also ther be some which wolde that thes Armes, next folowynge, schold be callyd parete Armes. But they wyche holde that opinion err gretely, for in paretye Aremes hit is requiryd all wey that the parety colours be equall; but so hit is not in thes Aremes. Wherfor he that hath thes aremes beryth of Syluer & the hede of the scochyn off Azoure wth ij molettes peresyd of golde; In Frenche, *Ill port dargent vnge chief dazor et deux molettes perces dor*. For in these aremes the forseyd rewle hathe place that yow most begynne at the felde if the coloure therof be more abundant & the greter colowre as apperyth here & as I have schewde a fore.



[34] This is two chapters in Bysshe's edition. These chapters are: *De Armis partitis nebulatis*, p. 227, and *De Armis partitis secundum longum* p. 228

[35] In the text "por"

[36] This is three chapters in Bysshe's edition. These chapters are: *De Armis partitis ex transverso*, p. 228 *De Armis partitis ex transverso indentatis*, p. 229, *De Armis palatis*, p. 230

[37] In the Latin edition there is another charge *De Armis* given its own chapter here which is missed in the translation. I have transcribed it from Bysshe p. 228:

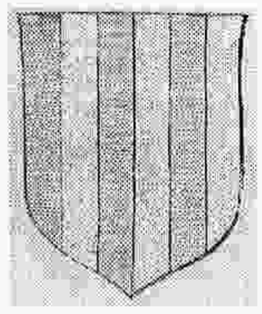


De Armis

Secundo autem modo fit partitis colorum in Armis ex transverso de coloribus irrasis, ut hic. De quibus dicendum est quod talis PORTAT ARMA PARTITA EX TRANSVERSO IRRASA DE AURO ET NIGRO. Et sic, Gallice, *Il port partie traversee d'or & de sable racee*

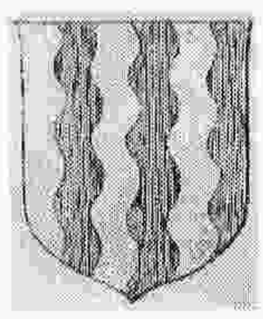
[38] In the Bysshe MS there is a gap but no illustration, and here is an added slip with the illustrations.

[39]And hit is to be notyd that no Aremes can be named paretye but soche as be only of ij coloures, & but ones partyde And no more. For Aremes paled be not callyd, nor owght to be callyde paretye, thoughe they be of ij colours; For thes coloures be not only paretyd ones but meny tymes, [**fo 202r**] as appery[th] here. And they be callyd palyd, For they be made after the maner of pales; and he that beryth thes Aremes beryth Aremes paled of azoure and golde. In frenche, *Ill port pale dazor et dor*.



Of aremes paled vndee or Vndosid

Thes palyd armes often tymes be founde Vndosyd, that is to sey wauynge in & owte, lyke waves of water. And they be callyd palyd Vndosyd for dyfference of barde aremes, which be also vndosyd, as ye schall see hereafter. But he that hath thes aremes beryth aremes palyd Vndosyd of golde & gewles. In French, *Ill port palee vndee dor & de gewles*.



Off aremes palyd tortuouse scharpe

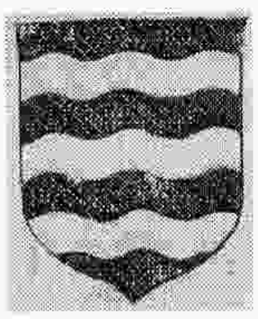
Thes paled aremes be borne dyuerse maner off weyis; sometyme tortuouse, that is to sey wryed in and owte & scharpe, as apperyth here of thes ij colours paled & wrynde one w[th] in a nother. Wherfore he that beryth thes armes beryth palyd tortuouse scharp of sable & syluer. In French, *Ill port palee daunsetee de sable et*[40] *dargent*.

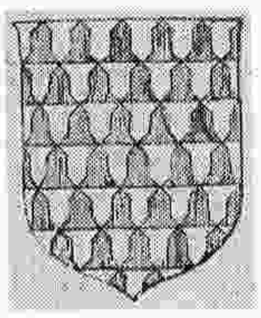


Off aremes barryd playne[41]

After palyde Aremes we woll speke of Barryd Aremes; And hit is to be notyd that Aremes may vary dyuerse wyse in ther barres, as here schall appere herafter. And fyrst ye schall vnderstond that [**fo 202v**] ther be some Aremes barryd playne, as here. And than in blasynge of them yow may not say that they be playne, but in all other differences ye most declare in blasynge of them how thes barred aremes dyfferr from playne. Therfore yow must say this he beryth aremes barryd of Syluer & sable. In Frenche, *Ill porte barre dargent et sable*. And lyke wyse, as the other aremes a fore be somtyme Vndosyd, some tyme in uectyd, so may thes barred aremes be as apperyth in thes ij Aremes Folowynge. And they that bere thes Aremes, For the Fyrst ye must say *ll port barre vnde de sable et Argent*. And for the Seconde, *Ill port barre verre de gewles et dargent*. And I begynne here to blase at the red coloure be cause hit is fyrst in the Ryght coreners[42].

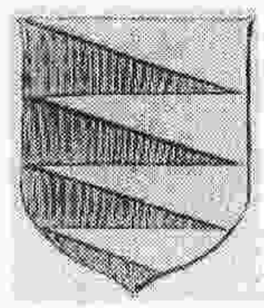






[39] In the Latin edition the chapter *De Armis palatis* (p. 230) begins at the start of the next paragraph
[40] In the text "er"
[41] In Bysshe the information in this chapter is contained in three chapters. These are: *De Armis barratis planis*, *De Armis barratis undatis*, *De Armis barratis in vectis*, p. 231
[42] Here there is an added slip with two illustrations for this chapter.

Off aremes barred bendee[43]

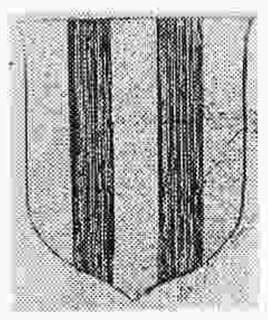


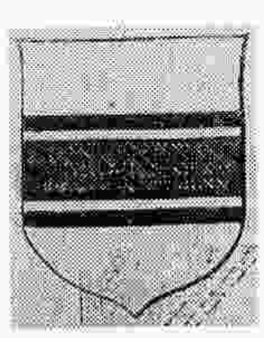
Ther be also some aremes after bendyd wyse barryd, as here & they be so callyd by cause ther be ij colours Ioyned to gether in euery barre after the maner of bendes, as apperyth here. Wherfor he that hath these aremes bendyd barred of gewles & gold. In french, *Ill port barre bendee de gewles & dor*.

Off Aremes barryd & tortuouse scharp

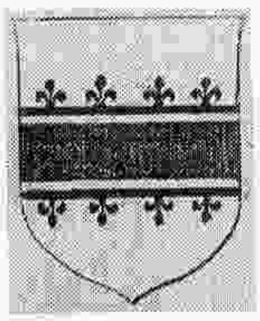


Other be that berythe barryd Aremes tortuowse[44] scharpe, as here, & Fyrst they be callyd barryd, For the difference of them that be paled after that maner. They be callyd also tortuowse scharpe be cause ij coloures be inveyhed scharply, as they war wryde in and owt to gether. The lorde of [**fo 203r**] thes Aremes berythe Aremes barryd tortuouse scharpe of sable & gewles, in French *il port barre dauncetee de sable & de gewlez*[45]. But he is diligently to be consyderd in blasynge of thes aremes palyd & barryde; for if the be not sotelly perceuyd, a mane that is very hastye in answere may sone be decevyd in them. For those aremes be callyd palyd wherin ther be founde as many pales of the one coloure as ther be of the other, & yff the pales of both coloures be not equall, but of some more & of some lesse then they be not properly paled aremes; as peraventure on berythe ij red pales onely, as here, and so ther apperyth more parte of the golden coloure than the redde, for ther ys iij of the one & but ij of the other, than yow may not say he beryth aremes paled or palee, but that he beryth ij pales red in a golden felde. In Frenche, *Ill porte dor et deux palez de gewles*. And in lyke maner most ye say in all maner of aremes barryd or bendyd. Also ye most diligently consyder the nomber of pales, bendes, barres & smale barres.





Of the wich smale barres ye most be ware when they be Founde in aremes, As here, and soche lynes may be callyd[46] barrulettes, For a difference of the gretter barres. Wherfor he that beryth thes Aremes beryth one barre and ij barrulettes of sable in a syluer Felde. In Frenche, *Ill port dargent vnge barre et deux barruletz de Sable*. And some tyme [**fo 203v**] the seyd barrulette be made as they hade Flowres a pone them, as here, and they be callyd flowryd barrulettes. Wherfore he that beryth thes aremes beryth one barre and ij barrulettes flouryd of Sable in a syluer felde. And hit is to be notyd that some tyme that same barrulettes be ingrayled, wherin yow most alwey kepe the rewles above seyd, as well in paled aremes as in barryd.



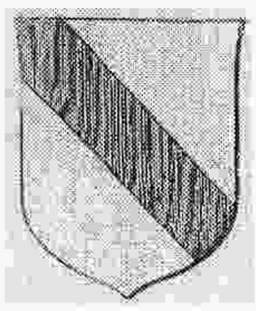
[43] In the translation the information presented over the next two chapters appears in a different form in Bysshe's edition. Bysshe's first chapter in this section was *De Armis barratis tortuosis acutis* (ps 232 - 233) which is a short chapter, and then *De Armis bendatis barratis* which was a longer chapter. In addition Blount has included in 'Off Aremes barryd & tortuouse scharp' information which Bysshe put in a separate chapter, *De Armis floridis* (p. 233)

[44] In the text "totuowse"

[45] Blount missed out the French blazon, and I have inserted it from Bysshe.

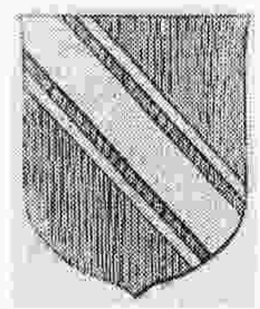
[46] In the text "cally"

Off a bend in aremes



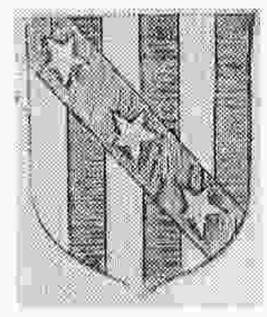
Some tyme ther is a certen bend borene in aremes, as here. And here yow most note that that is callyd a bende which is drawne from the ryght corner to the lefte syde downewarde & thys is For difference off fissures or bastones, of the wych we schall speke here folowynge. And that hath thes Aremes beryth[47] a bende of gewles in a golden Felde. In Frenche, *Ill port dor vnge bende de gewles*.

Off bendules or smal bendes in aremes

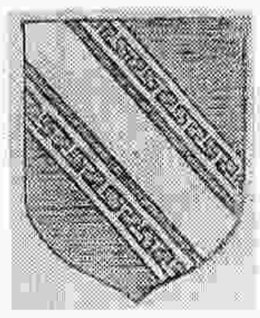


Lykewyse as I haue sayde a fore that ther be certen smale barres or barrulettes borne in Aremes, so lykewyse be ther bendulettes or smale bendes, as apperyth here. And the owner of thes Aremes berythe a bende [**fo 204r**] And ij bendulettes of golde in a rede felde. In French, *Ill port de gewles vnge bende et deux bendulettes dor*. And thes smale bendes be sometyme made wythe Floures & some tyme in grayled.

The best and cheffe maner of berynge diuers Aremes in one scochyn ys vsyd in these bendes: For he that hathe certen londes lefte by hys Father & certen lykewyse by hys mother (For the whiche mothers londes Ther is certen Aremes appropryat of old tyme) as perauenture the mothers aremes Folowyth the name of here stoke, Then may the heyre, yf he lyst, bere hys Fathers aremes in the playne scochyn, and in sooche a bende hys mothers aremes, as here. And he that beryth thes aremes, beryth aremes palede of syluer and azoure wth a red bende & iij molettes of golde in the same bende. In French, *Ill port palee dargent et dazoure vnge bende de gewles et treis molettes in lamesmet dor*.

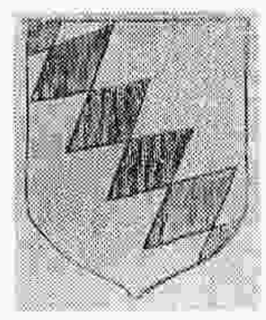


Of bendules or smale bendes chayned



Meny tymes the forseid smale bendes be made after the maner of chaynes, as apperith in the Aremes off the Erle of campany, wych beryth aremes off azoure in the wych he hathe a bende of Syluer and ij smale bendes of golde chayned. In French, *Ill port dazor vnge bende dargent et deux bendulettz chaynez dor*. [**fo 204v**]

Off bend fusuled

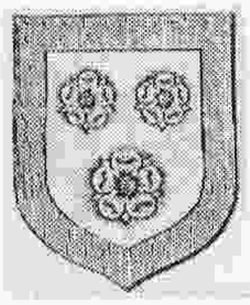


Ther is Found also in Aremes a certen bende which is very straynge to some & hit is callyd bende fusuled, as apperythe here, and hit is callyd fusuled by cause hitt is hole made of fusules, off the wych we schall speke more hereafter. But he that hath thes Aremes berith a bende fusuled of gewles in a felde of golde. In French, *Ill port dor vnge bende fusulette de gewles*. And thys bende is moche vsyd in borgoyne.

[47] In the text "bery"

Off dyuerse bordures

Meny and dyuers bordures & hemmes ther be wych be borene in aremes, wherof some be playne, som ingrayled, som talentyd, som playne & poderd, some chekker, Som gobonat, and Some inuectyd or verre. Of euery one wherof we schall schew here in order, and Fyrst off playne bordures, as here, & the bordure is callyd playne when hit is of on coloure a lone, as is here, and he that beryth thes aremes beryth iii golden Roses in a syluer fylde wyth on bordure of gewles. In frenche, *Ill port dargent treis Roses dor & vnge bordure gewles*.



Off Armes wth bordure in grayled

Aremes wth bordure in grayled ar borne some tyme after the [**fo 205r**] maner as apperyth here, and soche a bordure or hemme is callyd alweyse ingrayled. And the owner of thes Aremes beryth aremes off golde bordured of sable in grayled wyth a leon Rampant of gewlez. In Frenche, *Ill port dor bordure engreylee de sable vnge leon Rampant de gewlez*.



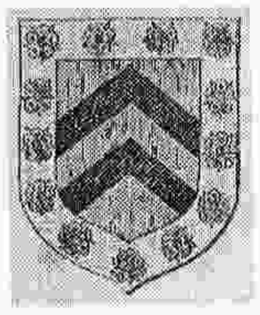
Off Bordure talentyd

Some ther is borene in aremes A bordure or heme, after thys maner as here, which is talentyd & here hit is not necessary to expresse the coloure off the talentes, for they be all weys golde. And thes Aremes perteyned some tyme to the duke of cornwall, wych bore a leon Rampant of gewles in a syluer fylde bordured with sable & talentes rownde a bowt in hit. In Frenche, *Ill port vnge leon Rampant de gewles en Argent bordure de sable talentee*.



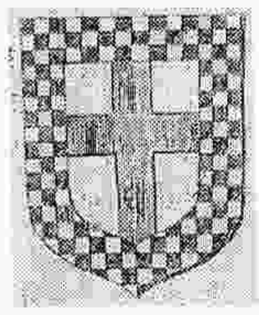
Off Bordure poderyd

Ther is borne in aremes also a bordure poderd & hit is callyd so by cause here is a bordure made of Roses, a bove the nomber of ix, than the bordure most be callyd poderd. Wherfor he that berythe thes Armes beryth a schelde of gewles wyth ij cheuerons sable & a bordure [**fo 205v**] of golde poderd wth Roses of gewles. In French, *Ill port de gewles deux cheuerons de sable & vnge bordure dor poudree de Roses de gewles*.



Off bordures chekker wyse

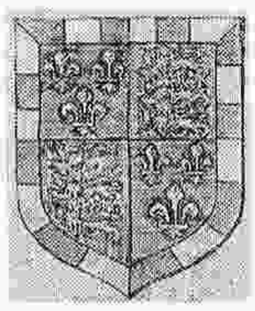
Whe haue yet a nother bordure in Aremes wych is callyd chekkerd and hit is so callyd by cause hit is made of ij coloures, after the maner of chekker, as here. And he that hath[48] thes aremes beryth a playne crosse of gewles in a syluer felde wth a bordure chekker of Syluer and sable. In Frenche, *Ill port dargent bordure chekker dargent & sable vnge crois playne de gewles*.



[48] I have inserted this word, as it was missed in the text.

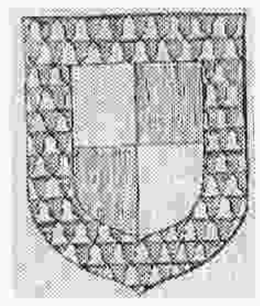
Off bordures gobonate

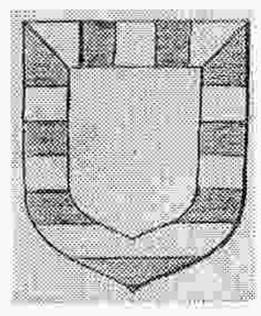
More ouer ther be certen Aremes bordured after this maner, as here wych be callyde gobonate, by cause hit is made of ij coloures Ioyned sqware to gyther, & they be the Aremes of the duke of Glocester, wyche beryth the hole aremes of fraunce & ynglond, wyth a bordure gobonat of Syluer & azoure, as here & In Frenche, *Ill port lez aremes de fraunce & dengleterre quarterlez mesque vnge bordure gobone dargent et dazore*[49].



Off bordure made of coloures inuectyd otherwyse cally verree

There[50] is a nother bordure in aremes off ij coloures in [**fo 206r**] uectyd, as here, and he that hath thes Aremes beryth aremes quarterd of gold & gewles w^th^ a bordure of Syluer & azoure in veyhyd one w^th^ in a nother as here; and In Frenche they saye, *Ill port quartelee dor et de gewles mesque vnge bordure verre dargent et dazor*[51]. But yet in thes bordures ther is a gret discorde a monge them that pretend them self very well experte in thys mater, as apperyth specyally in the aremes sum tyme of the Erle of marche, whether thes aremes owght to be callyd bordured or no, as here, and some sey nay, puttynge herein a meruelouse difference, sayinge that the Erle of march, wych was callyd Roger mortemere by hys lyffe dayis, bore aremes palyde barryd & contreconate of azoure & golde wyth one syngle scochyn & In Frenche they say, *Ill port palee barre gironee dazour & dor et vnge escu symple dargent*. And meny semyde to be content w^th^ this opinion; but yet hit cannot be trewe soo, For yff so be thes aremes wer contreconate, than the coloure in them scholde mete to gether in the myddes of the scochyne, scharpe poynted wyse euer narower and narower toward the ende, as schall appere in the next Aremes folowynge. Wherefor, as hit apperith here, hit maye more trewly be seyde that the seyd Erle bore aremes [**fo 206v**] barred and the hede of the scochyn paled & corenerd of azoure and golde wyth a certen syngle scochyn of syluer. In French, *Ill port barre et vnge chief palee cunette dazour et dor et vnge escu symple dargent*.





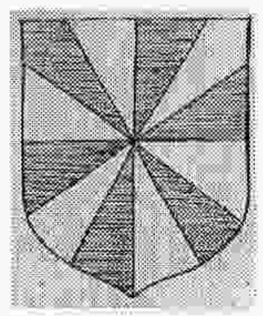
[49] In Bysshe the charge is the same but the blazon does not use the word *mesque* but instead *ovesque*, thus: "Il port lez Armes de Fraunce & D'engleterre quartelez ovesque ung bordure gobone d'argent & d'asor" [*De borduris gobonatis*, p. 238], look footnote beneath

[50] In the text "the"

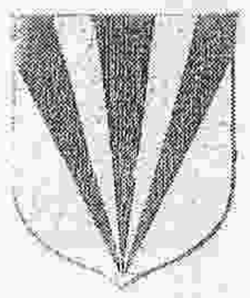
[51] As with the footnote above the word *mesque* is not given in favour of *ovesque* for the same charge, thus: "Il port quartelee d'or & de gewlez ovesque ung bordure verree d'argent & d'asor" [*De bordura facta coloribus invectis*, p. 239]

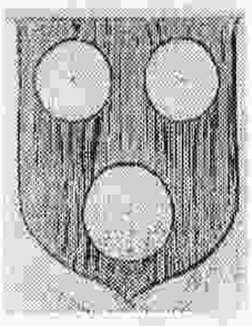
Of aremes contreconate[52]

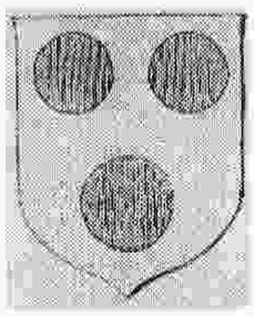
Ther be dyuers noble men that bere Aremes contreconate, as here. For here all the colours be conueyde to one poynte, euer narower & narowar toward the endes; For euery tryangle ys more of length than of bredeth, euer narower and narowar toward the ende. And therfor the other opinion in the aremes of the Erle of march is not to be holde, by cause I haue schewde a fore of aremes, wherin the coloures mete to gyther in the myddes, scharp poynted wyse.

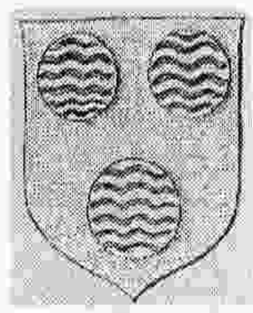


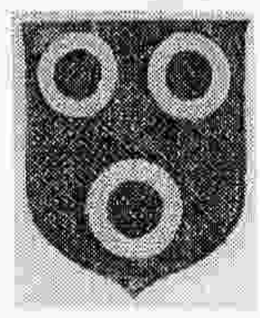
Here therfor ensuyth to se of certen Aremes where that iij pyles mete to gyther in one poynte at the ende, as here. Wherfor he that berythe thes aremes beryth iij pyles of sable in a golden[53] felde. In french, *Ill port dor treis piles de sable*. Some tyme ther be aremes made after thys maner, as they hade iij balles in them, and than he that beryth thes aremes beryth iij pellettes off Syluer in a rede [**fo 207r**] Fylde. In Frenche, *Ill port de gewles treis pellettes dargent*. And here is to be notyd that in soche maner of figures as thes pellettes be a man may some tyme be deceuyd lyghtly. Wherfor breffely hit is to be notyd that soche Fygures may be made in aremes of all maner of colours except the golden coloure, For yff they be made of the coloure than they be callyd talentes or besantes, and thys is a specyall thynge in besantes, For they be neuer of other coloure than golde. Ther be also some fygures lyke bowles more than pellattes and thes be callyd tortelles, as here & the owner of thes aremes beryth iij tortells of gewles in a golden Felde. In Frenche, *Ill port dor treis torteulx de gewles*. And here is to be notyd that, as well pelettes as tortelles & besantes, be all wey hole & rownde and not peresyd, but yet ther be some wych beryth sooch rounde figures & yet the fygures be callyd fontaynes, as here, which all ways owght to be of thys coloure & pycture by cause of that wych they represent, For they represent the fontayne water. And he that berythe them berythe iij Fontaynes in a golden Felde and hit is nott necessary here to schewe the coloure off the Fontaynes, For they be all wey whyte and therfor they say in Frenche, *Ill port dor et treis fonteyns*. Ther be also othere [**fo 207v**] Rounde fygures, whiche be peresyd lyk rynges, as here, and he that beryth thes aremes berith iij golden ryngges in a Felde off Sable. In Frenche, *Ill port de sable et treis anulettes ou verges dor*. We have spoken a fore of hemmes or bordures payntyd in aremes. Nowe therfore ensewyth to speke of certen traces and Fyrst of the playne and syngle trace; and hit is callyde a trace by cause the fylde of the aremes remaynyth hole wythoute and wythin and a newe trace is drawne wth in hit of a nother coloure, as here, as hit were a scochyn. And he that beryth thes aremes beryth a syngle





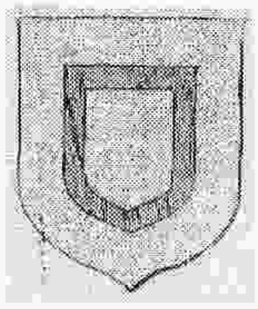
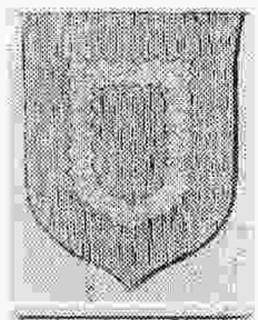


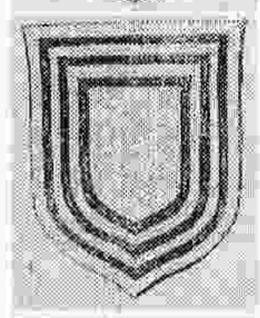
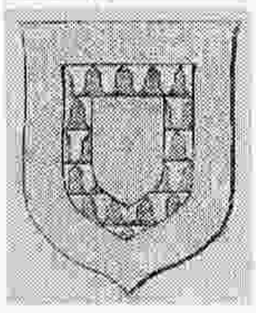




[52] In Bysshe the information in this chapter is in eleven chapters. these are: *De Armis contra conatis*, p. 239, *De Armis palatis in cono concurrentibus*, *De Armis pilatis ad ludendum*, p. 240, *De Armis tortellatis*, *De Armis fontalibus*, *De Armis anulatis*, p. 241, *De tractu ingradato ex ultraque parte*, *De Armis Regis Scotie*, p. 242, *De tractu triplicate*, *De tractu simplicicum cum duobus coloribus in vectis*, p. 243

[53] In the text "in a golden in a golden"

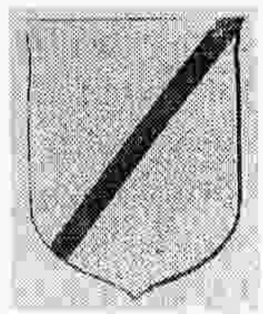



playne trace off gewles in a golden felde. In Frenche, *Ill portt dor vnge trace playne de gewles.* And som tyme this trace is in grayled of eche syde, as here. And than the owner of thes aremes beryth a trace off bothe sydes in grayled of gold in a Felde of gewlez. In Frenche, *Ill port de gewlez vnge trace engrailee de chescune coste dor.* Also this forseyd trace is dobled somtyme, as in the Armes of the kynge off Scottes, as here. And than the kynge of Scottes beryth a doble trace wythe floure de lyse countreposyde and a Rampan leon of gewlez in a golden [**fo 208r**] Felde. In Frenche, *Ill port dor vnge duble trace flouretee countree & vnge leon Rampant de gewlez*. Ther be also other wych hath thes same traces iij tymes or iiij tymes wythin the felde; as I haue sene in the aremes of the byschop of cenomanse, wych bore fore hys aremes iij traces one wythin a nother off Sable in a golden felde as here, and In french, *Ill port dor vnge trace triplee de sable*. Ther be also some noble men wych bere a syngle trace of ij coloures verre or inuectyde, as here & he that is lorde of thes Aremes beryth a syngle trace off verre of azoure & syluer in a golden felde. In french, *Ill port dor vnge trace symple verre dazor et dargent*.

Off Fissures[54]

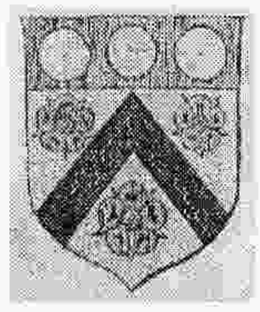
In thes aremes a fore whe haue spoken of bendes & of ther differences, now whe schall speke of certen fissures; wych fissures be gynne at the left corener, & be drawne Forth to the ryght parte of the scochyn a lowe bynethe, as apperyth here. And thes fissures dothe vary as many wayyes as the forseyde bendes: for sumtyme they be playne, some tyme ingraled, some tyme verre & so forth. And sooche maner of fissures ar wont to bere or at the leste wyse owght to bere bastardes, and than thys fyssure is callyde in french a *baston*. But comenly hit is callyd a fissure, that is to sey a clyftt, by cause hit diuidith [**fo 208v**] And cleuyth the Fathers aremes in ij partes; For the bastarde is diuidyd From hys fathers patrimony. And soo a bastard may bere the hole aremes of hys Father, For reuerence of hys blode, but he owght to bere wth soch a baston, bothe to schewe what he is And also for difference of the ryght heyre of hys Father. But when ye haue soche a fyssure or baston in Aremes in grailed, verre or other wyse, than ye may declare hit as I schewde a fore in the tretyse of the bendes. And as for the bastarde that is owner of the aremes a fore, ye may sey he beryth on baston sable in a golden felde. In Frenche, *Ill port dor et vnge fees de sable*.



[54] The manuscript does not give a title to this chapter, only an empty line in the text where the title should be; I have inserted one taking my lead from Bysshe whose chapter was named *De Fissuris* (p. 243)

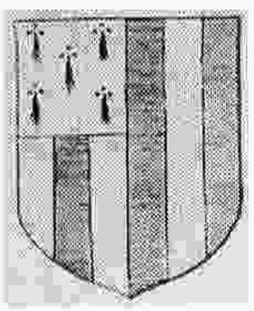
Of Aremes capitate

Ther be certen noble men which bere aremes after thys maner, as here, and the aremes be callyd capitate by cause the hygher parte of the scochyne, that is to sey the hed, is of one coloure or of dyuers colours; & hyt is not extend to the myddes of the scochyn.



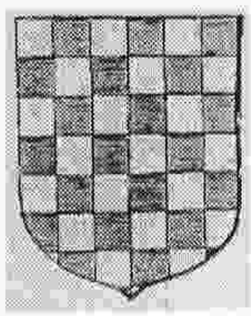
Whereffor in soche capitate aremes is a good wey to bere dyuers aremes, as peraventure some noble man hath grete londes & possessions by hys mother, & therfor he intendyth to bere here aremes as reason ys. And also he hath some noble man, perchaunse to hys father by whom he hathe other londes, than iff he wull, he may bere the hole aremes of hys mother in the lower parte of the scochyne and in the ouer parte, as I schewyd yow, the hole aremes of hys Father. And he that hathe thes Aremes beryth cheuorne of Sable & iij Roses gewles in a golden Felde w[th] a hede of gewles [**fo 209r**] And iij besantes in the same. In frenche, *Ill port*[55] *dor vnge cheueron de sable & treis roses de gewles vnge chiefj de gewles & treis besantz en lamesines*.

Ther be other gentylmen besyde wyche bere in ther Aremes one quarter different in coloure from the coloure or coloures of the scochyne, as here. Wherein ye most say that soche a one beryth aremes palee of golde And azoure w[th] a quarter heremyn. In Frenche, *Ill port palee dor & dazor vnge quarter dermyn*. And here is to be notyd that yow most haue a respect to the coloure of the pale wych ascendith to the ryght corner of the scochyne yf ther were no soche quarter ther, and than yow most begyn to blase at the coloure of the pale, as I schewde a fore[56].



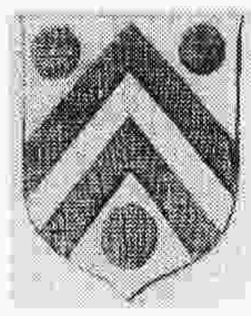
Of Armes chekker wyse made

Moreouer whe se somtyme aremes made checker wyse, as here, wyche be so callyd by cause they be foremed and facionde of ij coloures, after the maner off chekker. But thes aremes hath menye differences, as in ther heddes in quarters, in barres and bendes, and som tyme in cheuerons; of wych whe schall speke hereafter. And he that is lorde of the Aremes here berythe aremes checker of golde & azoure. In Frenche, *Ill port chekkee dor & dazor*. [**fo 209v**]



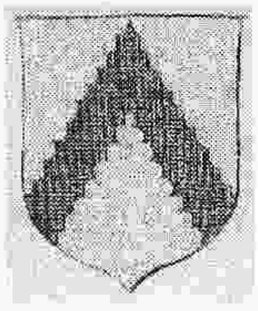
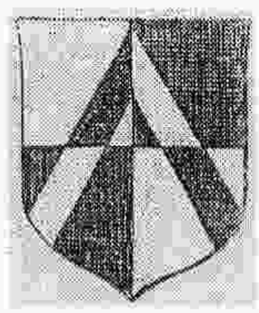
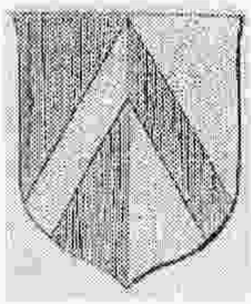
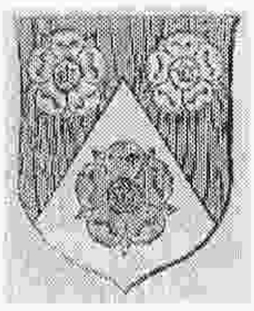
Off Cheuerons

We haue meny tymes in aremes certen signes wych be callyde cheuerons, as here, wych of suerte war borne First by carpenters; for they be as hit war ij sparres of a howse ioyenyd to gyther, and by cause a howse cannot be byleded w[th] owte them, therfor they that war carpyntars some tyme hade thes Aremes geven vn to them. And som tyme ther be ij off

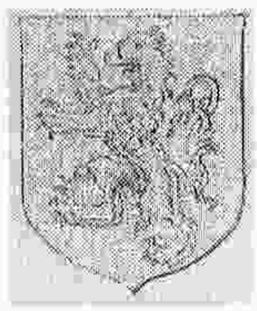


[55] In the text 'Ill por'
[56] In Bysshe's edition this paragraph is given as a separate chapter, but there is no title given, p. 245

thes borene in aremes, som tyme iij or iiij. Also some tyme this cheueron ys borne in aremes in grayled & than he that berith those aremes beryth a cheueron in grayled of sable in a golden felde. In French, *Ill port dor vnge cheueron de sable engraile*. Also in thes cheuerons some tyme rysyth a dowte in blasynge of them when they be made of dyuers coloures transposyd, as here, and then who so euer hath sooche aremes beryth aremes quarterd of syluer & sable wyth a cheueron of the same coloures transmutid. In Frenche, *Ill port quartelee dargen et de sable et unge cheueron changee, lunge de laultree*. Also thes Aremes some tyme vary, beynge diuidid in length in ij diuers coloures and havynge a cheueron in them of the same coloures transposyd, as here. And then yow may say he beryth parety in length gewles & golde wth a cheueron of the seyde colours. [**fo 210r**] In Frenche, *Ill port partyee du longe de gewles et dor vnge cheueron chaungee lunge de laultree*. Ther rysyth also a nother dowte in berynge of thes aremes, and I haue knowne certen heraldes, pretendynge themselfe wyse herin, to dreme in thys mater, how behyt a man nede not gretly (I thynk) to dowte in thes aremes, for he that beryth them beryth ij partes of the hed of the scochyn gewles & the thyrd syluer after the maner of a cheueron & iij roses of the same coloures transposyd. In French, *Ill port lez deux parties du chief de gewles et le troisime dargent partiez en manere du cheueron et treis roses lunge de laultree*.

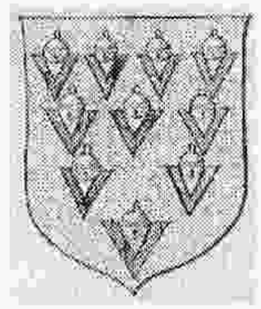
But ye most be wyse and ware here off shadowde aremes, wych be not fully & perfytly drawne owte; wheroff partely I schewde in the chapter of the shadowde crosse. For the blasynge of the wyche aremes some, perauenture ignorant in thys crafte, wull folow the rewle a fore spoken as tochynge the coloures transposyd or transmutyd, as I haue sene them do diuers tymes my selfe. And ther be certen gentylmen in Inglond wych bere diuers schadowes in ther aremes, as here, and they wych haue thes aremes bere a leon Rampant vmbrate or shadowed in a golden Felde. In Frenche, *Ill port dor vnge leon vmbre*. And I thynk that they wych bere sooche vmbres or shadowes [**fo 210v**] had ther progenitors berynge not thos aremes shadowed but rather hole & perfit, and I thynke the cause was that they bore them vmbrate or schadowed by cause the londes & possessions descendyd to some other. Notwythstondynge the nevewes of thes, thoughe they be in good hope & lyklyhode to recouer the hole londes of ther progenitors, yet they schall bere vmbrate and shadowed aremes, lyke as ther Fathers dyd a fore them, ontyll they enioy saffely the hole londes & so they schall leve of all the forseide differences scheude a fore. For whan they ons com to ther lyvelod, hyt schalbe more ease for them to bere the Forseyd leon open & perfyt in that coloure, as ther Auncetors dyd, than Fyrst to leve of ther Auncetors aremes & after they come to ther possessyons to take them apon them hole new a geyne, as thoughe they hade neuer tytle to them a fore[57].

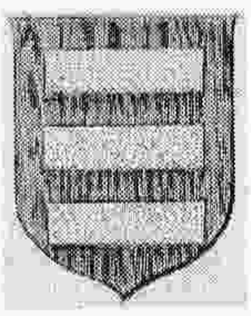


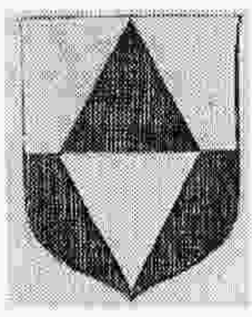
[57] In Bysshe's edition the information in this paragraph is presented as a separate chapter, *De Armis umbratis*, p. 247

Off Aremes doble

Ther be certen noble men also wych bere doble Aremes, after the maner of ther cote of Aremes wych is doble, as peraventure one hathe a cote of golde lyned wythe red, he wull peraventure Iagge or cutte the owtewarde syde of hys cote of golde & so sett hit owte w^th^ small belles or spangles hangynge a pon the cuttes or Iagges, or elles perauenture poder hit w^th^ other leves or flowres of syluer, as here. And than he that beryth soche Aremes [**fo 211r**] beryth aremes Iagged & cutt a bove of golde resyd a bove the rede coloure & pouderd w^th^ smale belles or spangels of syluer. In Frenche, *Ill port dor de coppe sur gewles poudree dez petitez sonettes dargent*. And here is to be notyd that thes Aremes vary after the ymaginatyons of them that were them. For som tyme Aremes be borne pouderd, as I schewde a fore, some tyme syngle and playne, but yow most take hede. The forseid maner of berynge doble Aremes uaryth, as here, And here ye most marke that in thes aremes be iij pecys lyke the maner of barres wych be as they war cut of frome the ouer parte of the doble cote, as I schewde a fore by the reson of the cuttes, of the wyche pecys ye may playnly perceve the lynynge of the cote or at lest wyse the coloure of the insyde, & in french they say, he that[58] berythe thes aremes, *Ill port de gewles de coppe ou voyde sus ore en maner de treis barres*; & I sey that he beryth gewles w^th^ cuttes a pon golde the maner of barres. I say after the maner of barres For this cause, For soche as be very barres streche Frome the one ende of the Aremes hole owte to the other. Also some tyme thys maner off Iaggynge or cuttynge aremes [**fo 211v**] varyth in thys wyse as here, and thes aremes be dobled aremes, havynge the owt syde syluer And the lynynge or insyde Sable. In Frenche they say, *Ill port dargent de coppe sus Sable*. Wherfor remember well thys Rewle bycause of doble or lynede cootes, For ther be dyuers ymaginations of men in the conueyance of them. I haue sene often tymes my selfe but yet I coulde neuer se that sooche aremes enduryd to the thyrde or iiij^th^ generacyon, For they began fyrst by taylers; And therfor counterfet sedes can make no depe rootes in the grounde to cum to good proffe.





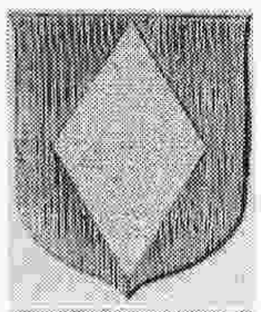


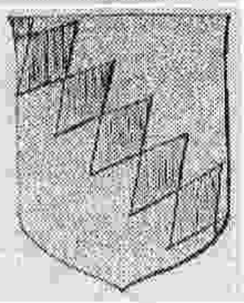
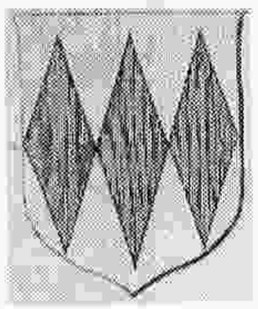
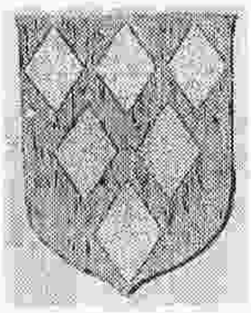
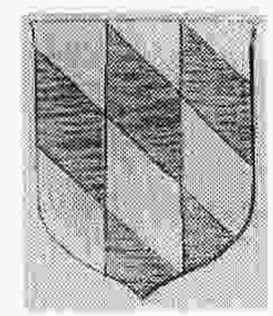
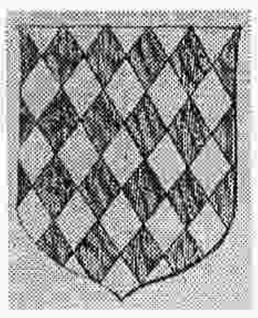
Off Fissewes

Ther be also meny nobles and gentylmen which bere in ther aremes fissewes, wyche after the maner of spyndells of yerne. In the nomber of whome was my specyall goode lorde of Salesbery, wych bore iii fyssewes gewles in a syluer Felde, and thes aremes he bore by the reason of certen londes longynge to the lordeschyp of mounteagew. And In Frenche they say, *Ill port dargent treis fusulez de gewles*. And here is to be notyd that some tyme ther be borne

[58] In the text "the that"

iij fissewes to gyther or els ij or more, vnto the nomber of ix, wyche yf they [**fo 212r**] passe yow may say that thes aremes be pouderd wyth fissewe & not els. Also somtyme one fyssew a lone ys borne by hym selfe, as here. Wherin I have knowne of this som to dowte. Neuerthelas he that hath thes aremes beryth w^th^ owte eny dowte of gewles with a Fissew golde. In Frenche, *Ill port de gewles vnge fisull dor*. Forthermore somtyme this fissew is borne of dyuers coloures, as here, & than ther is a greter dowte how soche Aremes scholde be blasyde, but ye may say that he wych hathe thes aremes beryth aremes barryd trauers off Syluer & sable w^th^ one fissew of the same the coloures transmutyde, as here. In Frenche, *Ill port paretee de trauers dargent et sable & vnge fusull de mesinez coloures lunge*[59] *de laultre*, as I schewde a Fore in the other Armes. Also some tyme the sayde fissewes be made after the maner off bendes, or of one bende as here, and than yow may say that he beryth a bende fusuld gewles in a golden felde. In french, *Ill port dor vnge bendee fusulee gewles*[60]. Also som tyme a barre of fissewes is made in Aremes, as here, and than ye may say that he beryth Syluer w^th^ a barre fusulde of gewles. In Frenche, *Ill port dargent vnge barre fusulee de gewles*. And so by this lyghtly ye may know the maner of berynge [**fo 212v**] fissewes vniuersally. But here is to be notyde that some armes came vp Fyrst by a weyver by cause that weyvers vse soche made off yarene. Also here yow most note a difference by twene fissewes, maskelyns and losenges; Wherfore ye schall know that fissewes be made somemot longe and narower at the endes ouerthewarte than the maskelyns be and the maskelyns be broder in length than the fisseuse. And he that hath thes armes beryth of gewles vj maskelyns golde. In frenche, *Ill port de gewlez et vj masculez dor*. And some tyme thes maskelins hathe holes in the myddes, as I schewde a fore in the chapter of the crosse masculat. Also sometyme ther be masculate aremes borne after this maner, as here. And here is to be notyd that soch Aremes be callid masculate, wherin the maskelyns begyn fully at the ryght corner of the scochyn and ende toward the left, as here. But yet in very dede thes aremes properly be paled aremes, for they be diuidyd in to iij pales, yf they be sotelly consyderd. Wherfor he that berith thes berith aremes masculat of Syluer & [**fo 213r**] Azoure. In Frenche, *Ill port dargent et dazor masculee*. Forthermore as concernynge losengis, they be neuer made but in bendyd aremes, For they can not be playne by them selfe, but all weyse w^th^ bendes, as here. And here yow schall have a clere difference bytwene the forseyd masculat aremes And bendyd aremes w^th^ losenges, for in the paynetynge of them, the hed of the losenges stonde alwey streyte vp ryght and lokyth toward the hede of the scochyn, Where as in contrary wyse the ouer corner of the maskelyn other lokyth toward the ryght syde of the scochyn or towarde the left, & so we haue a dyfference of the iij Forseyd sygnes: fyssewes, maskelyns and losenges.

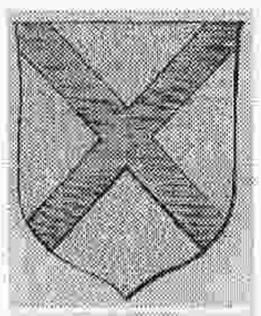
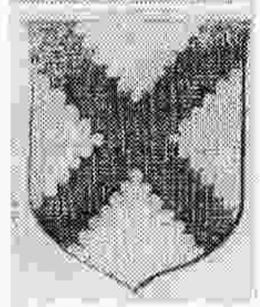
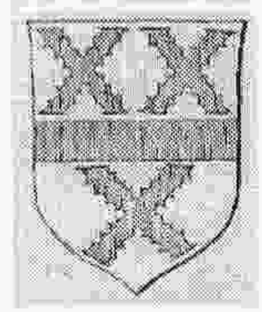


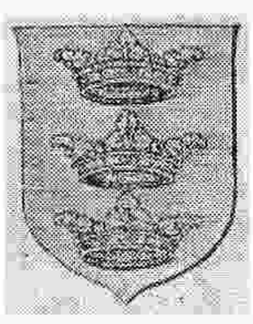
[59] In the text "luge"
[60] In the text the colour of the charge is not given (gewles)

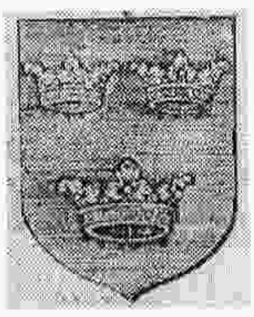
Off lepes

Ther is also a nother sygne in aremes borne by dyuers noble men wyche is callyd a lepe, and hit is made after the maner off a saynte Andrewes crosse, as here. And some men lyken hytt to a certen Instrument[61] wych men sett in parkes or other places, For[62] after they haue ones enterd in they can no [**fo 213v**] more gett owte. Wherefore some tyme thes sygnes war geven too Ryche & couetouse men, wych after they haue ones gatherde grete tresoure & Ryches, they woll syldom or neuer lett hitt passe from them. And he that berith thes Aremes beryth golde & a lepe of azor. In Frenche, *Ill port dor vnge saultier dazor* Here yow most note that some tyme thes lepes be ingrayled & than they be called lepes in grayled, as here. Wherefore he that beryth thes aremes beryth a lepe ingraylede of sable in a golden felde. In French *Ill port dor et vnge saultier de sable engreile*[63]. And some tyme ther be meny lepes borne in one scochyne, as perauenture one or ij or iij, as here. And than he wych oweth thes aremes beryth a playne barre & iij lepes in grayled off gewles in a syluer felde. In Frenche, *Ill port dargent vnge barre playne & treis saultiers engrelyz de gewles.*

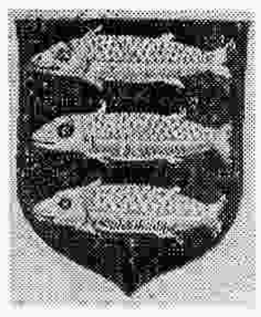
Moreouer ther is diligently to be consyderd when ther be iij sygnes in a lordes aremes, as crownes or Floure delyce or soche other, that they be not borne alweyse after one maner, but dyuers wayes: For sumtyme they be borne after the maner off pale, streyte in length, one onder a nother, as here. And than they be callyd palyde [**fo 214r**] Aremes, as here. Whereffor he that oweth thes aremes beryth iij crownes paled in azoure. In French, *Ill port dazour & treis coronez dor paleez.* And some tyme thes iij sygnes be borene in aremes after the facion of a barre, as here. And than he that oweth thes aremes beryth in azoure iij crownes barred of gold. In french, *Ill port dazor & treis coronez barre dor*. Some tyme also wych is moste comen wayse thes sygnes be borene corner wyse, in euery corener of the scochyn, one as here & than yow may not say in blasynge of them that the sygnes be borne in coreners of the scochyn. For hit is the moste commne maner of berynge of them so, and therfor yow most say soche a lorde berythe iij crownes, not expressinge the corners as thes Aremes; ye most sey he berythe azoure iij crownes golde. In French, *Ill port dazor & treis coronez dor*. But yet here remaynythe a new dowte: Ther was a certen Byschope off Wynchester callyd peter de rupibus Roche wyche, by the reason of hys name, bore iij Rochis [**fo 214v**] in hys aremes, as here. Wherfor hit is dowetyd whether hit be sufficient to say he

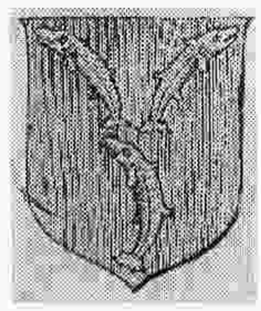




[61] In the text "Instument"
[62] In the text "For der For For"
[63] In the manuscript Blount didn't specify that the saltire was engrailled. I have inserted the correction with reference to Bysshe, *De Saltatoriis*, p. 252

beryth those Fysches, expressing them a lone, or not. But hereto me thynkyth we schold adde vn to hit that he beryth iij Fysches or iij roches swymynge, by cause they be after the same facion paynted here: wherfor we most say he beryth iij Rochis syluer swymynge in a felde of sable. In french, *Ill port de sable et treis Rochez nayantez dargent*. But nowe What schal we sey here to the Aremes of one Geffrey lucy, wyche be here? Ye may say he beryth iij grete pykes or luceys off golde the Felde of gewles. In Frenche, *Ill port de gewles & treis lucez dor*. Wich is sufficient for to sey here, For thes Fysches be not made as they war in ther proper places, as the other a fore be. But what schall we say than to the aremes of the duke of bauayre, wych bore but late a goo ij barbles, ther backes eche to other torenynge in azoure powderd w[th] crosses croysee figitiue of golde. For soche[64] ye may say *Ill port dazoure poudre dez crois crocelez fichez & deux barbeulx ders au dors dor.* [**fo 215r**]





Off Frettes in Aremes

Ther is a certen noble baron in ynglond callyd the lorde Audeley wyche beryth in hys Aremes a Frett. Also is Founde diuers tymes in meny gentylmens aremes somtyme of gewles, somtyme gold, sometyme sable and hitt is also som tyme syngle, some tyme doble, some tyme iij Folde or more & some tyme ye schall fynde hit multyplyde throughe all the scochyn hole, as here. Yow must consyder a grete difference bytwene bendyd aremes and thes w[th] Frettes; wherfor in bendyd aremes ye most note that the coloures therin conteynyd be equally diuidid, but thes Frettes the felde remaynyth all wey hole, as here. Therfor[65] ye most say the seyde lorde Audeley beryth[66] frettyd Aremes of golde in a felde gewles. In Frenche, *Ill port de gewles vnge fret dor*. Ther be borne also some tyme in aremes bestes saliant, off the wich I haue no mention here a fore, example of thes bestes apperythe here. Wherfor who soeuer beryth thes aremes beryth in gewles a leon saliant of Syluer. And here is to be notyd that soche a leon ys called salyant by cause hys ryght fote ascendith to the ryght corener off the scochyn and the lefte Fote off the same syde descendyth toward the fote of the scochyn, as here. And therfor [**fo 215v**] in French they say, *Ill port de gewlez vnge leon saliant dargent*. This same maner also is obseruyd in all iiij fotyd bestes lyghtly, as in leons, leopardes, horses, beres, wolffes, dogges and soche lyke.





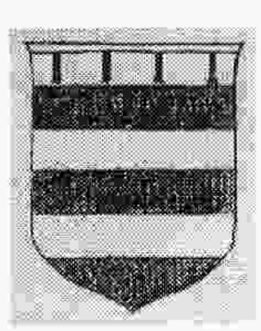


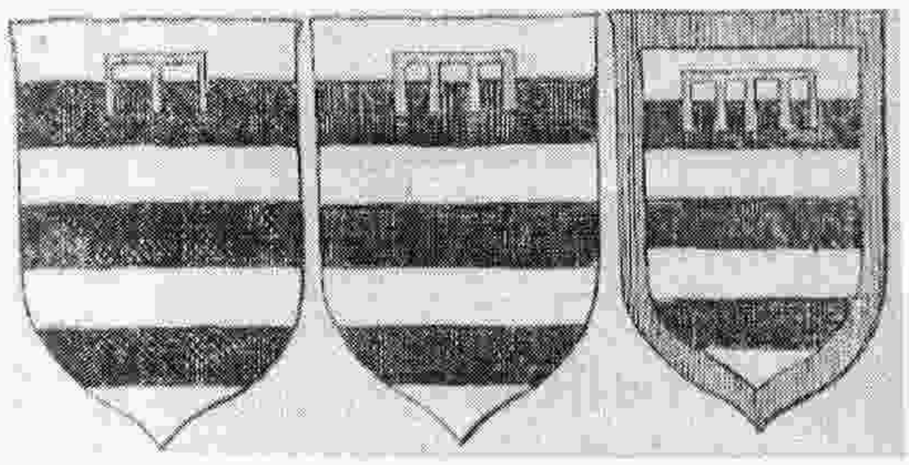
[64] In the text "sothe"
[65] In the text "Thefore"
[66] In the text "bery"

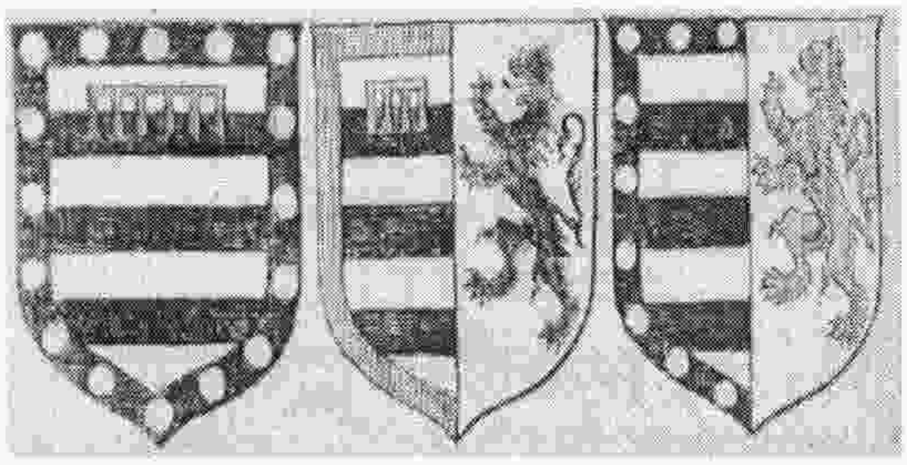
Off lyngylles or labelles[67]

Meny noble men also bere lyngylles or labelles after thys maner here folowynge. Wherein is to be markyd that soche labells be not proper sygnes but differences of sygnes; As whan hit is so that a man hathe many soones, Than he wych is the Fyrst sone schall bere hys Fathers hole Aremes w^th^ a lytyll dyfference, wyche is a cressant & that is addyd to hym specyally by cause he is in hope to augment & increase hys Fathers lyvelode, or els he may haue a lytyll molet put to the aremes, or a lytyll crosse crossyd, or eny other lyke difference. The second brother schall bere lyke wyse the hole aremes of hys Father w^th^ iij lyngylles or labelles in token, he is the thyrde wych beryth those Aremes. Also the thyrde brother, if ther be eny, schall bere iiij labelles in token he is the iiij^th^ that beryth those Aremes, For the Father is rekenyd For the Fyrst that berythe the Aremes, And so the seconde brother most nedes be the thyrd that berythe those aremes, and the thyrde most be the iiij^th^ and so lykewyse forther if ther be eny more brotheryne. But [**fo 216r**] now yf thes brotheryne a fore rehersyd haue eny chyldren, as perauenture the seconde brother wyche beryth iij labelles hath ij sonnes, than the fyrst sone schall bere hys Fathers aremes w^th^ the iij labelles, and w^th^ some other lyke[68] difference as[69] I schewyde afore, and the seconde brother schall bere the hole aremes of hys Father w^th^ as meny labelles & no more, but he schall haue For a dyfference some bordure or heme, as I schewde a fore in the chapter of the bordurs & hemes. And iff ther be a thyrde brother than he schall bere hys Fathers aremes w^th^ the same labells and a bordure of some other contrary coloure to hys brothers bordure in difference of the same. And the sonnes of thes brotheryn schall bere ther differences not wythin ther Fathers Aremes but w^th^in the bordurs aboveseyd, as by exameple ye may see here Folowynge.









Hytherto we haue schewde of meny dyuers sygnes, bothe quyke & ded & meny moo. Other be[70] Fownde in aremes as floures and leves & sooche other innumerable, the wych I am in sufficient to declare & expres. But heroff ye may be sure that, as concernynge soche aremes wyche be most comenly vsyd, ye schall Fynde here sufficient rewles For the [**fo 216v**]

[67] In the manuscript there are gaps where the illustrations were meant to be
[68] In the text "lykel"
[69] In the text "a"
[70] In the text "Other be other be"

blasynge and declaration of the same, so that yff yow take good hede and be not to hasty ther in, ye schall nede no nother helppe[a].

Nowe I schall retorne to a questione wych hath bene often tymes movyd: whether that sooche aremes wyche is geven a man by hys prynce or eny other lorde be of gretter strength or of more honowre than soche as[71] one takyth a pone hym by hys owne Authorite; For I schewyd yowe a For that euery noble man may, at hys pleasure take soche aremes as lykyth hym, as was declaryd in the Fyrst boke in the chapter wherein ys mention made What thynge a Foee is. Wherfor for the declaration herof, hit is to be notyd that iiij maner of wayis men may bere aremes.

Fyrst by the reason of the stok wych is most comen and most a lowede & therfor I schall not stond longe therin.

The seconde wyse men beryth aremes by the reason of ther actes & meryttes, As apperyth very euydently by soche thynges wyche I schewde yowe in the iij[d] boke, in the chapter of the red coloure; how the aremes of Fraunce war addyd to the armes of the kynge of ynglonde by the reason that prince Edwarde, sone of Edward the iij[d], toke kynge Iohn of Fraunce prysonar at the batell of poyters & so in lyke maner the poryst sodyar that is, yf he take eny prynce or noble man presoner, he may geve hys armes lauffully by the reason therof as I schew ther.

Thyrdly men bere aremes by the reason of the gyft & graunte of some prince or grete lorde, And here is to be notyd that soch aremes as be geven by the kynge schold not be dowtyd a pon or questionde on, [**fo 217r**][72] For hys priuilege ys to geve At hys pleasure[b], Ande that wyche he dothe graunte to be lawefull. But yf yt be soo that some other bore thos armes A fore, for thane he owghtt Nott of hys honore to tayke thos armysse wyche A Nother berythe hauenynge Iuste title ther to & to geue them a Nother Man[c], but yff throwghe som

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[a] Cod. 1. 51; Instit. 1. 1
[b] Instit. 1. 2
[c] Cod. 1. 14

[71] In the text 'a'
[72] The remainder of the text is written by the scribe who wrote the first part of the manuscript

offence or faute he had deseruyde to lese them. For thowghtt A prynce be A boffe hys laweys, yet hyt ys accordynge to hys Mageste to autoryze them In hys owne person by schoweynge hymeselffe obedient to the sayme.

The iiij[th] ways ys when oon berythe or takythe armes a pon hyme by hys owne auctorite, as ys seyne Meny tymmys and specially haythe bene sene at the battell off egencorte in fraunce, how Meny pour men, when they cam thyder war Mayde Nobyll, Some by ther wysdom, Some by ther hardnes, and some by other vertewes. What tyme meny of theyme, by ther owne auctorite toke armys apone theme too theme and to ther heyers, whoysse Namys hyt ys not expedient too expresse here. Neuerthelesse thowght soche armes may frely & lawefully be borne, yet I wyll saye they cannot be of soo greytt auctorite ande dignyte as soche wyche be gewyne by prynces or greyt lordes, ande yet yf they be not borne by some other A fore [**fo 217v**] They be goode ynowgh[73] ande may be susteynyde by the lawe[a]. Ande where as some holde opinion that haraldes may gewe oon armys of there owne auctorite, I dar nott be so bolde as too approwe and alowe the sayme; but thys I say, yf eny mane bere suche armes as heraldes haythe gewyne theme, They be of no gretter auctorite thane thos whyche a mane takythe a pone hyme of hys owne powre.

Heyr now I purposse to ende thys Rude warke and tretesse whiche I haue deuydyde in too iiij bokes, desyrynge all suche whiche haythe rede the sayme, yf they sawe eny thynge worthy correccion, after charytable ande freyndfulle wysse, to amende the same; ande to consyder howe no thynge cane be mayde wythe soo exacte counsell ande dyligens by mannys wytte but that, by sotell capacite of man agayne, yt may be Impugenyde, contraryde, ande fownde fawtysse in oon partye or a nother[b]. Agayne yf yt chaunce eny to Rede but heyr ande ther Some partycle ther of, as hys pleasure or lesure lythe ther too, I schalle desyre all sooche, yf they fynde eny thynge whyche offendythe theme, [**fo 218r**] to Interprete yt rather too the better parte, By causse they haue not sene fully the hole processe ther of; howe oon matter dependythe a pone a nother. But brewly too conclude, I sum tyme too all whiche schall fynde erroure or faute heyrein too correct ande mende at ther pleasoure, Soo that, wytht owt malyce or enuy, they doo yt of a goode wyll ande mynde ande of benygne affection.

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[a]Instit. 1. 4; Dig. 36. 1
[b]Dig. 50. 17

[73] In the text "ynowght"

Appendix A

Latin intoduction to *De Studio Militari*[1]

Summum ,Opificem, Alpha & Omega in Essentia Unum, Trinum in Personis, invocans ipsum clementissime exoro, ut michi assit principium, medium, finis, atque terminus, per quem universa & singula felici tramite gubernantur. Ut in *Authent. quomodo opertet Episcopos & Cle. 1* respondo in fine *col. 8. In Authent. de Armis in principio col. 6. C. de veteri jure enucleando l. 2. 23. D. In nomine domini.* Et cum Psalmista clamans cotidie, *Deus in adjutorium meum intende, Ps. 69.* indesinenter clamo & profero preces meas, sciens quod prope est dominus omnibus invocantibus cum. Ipse idcirco principium, ut predixi, michi adjutorium prestet usque, in finem, sic ut de optimo principio medium procedat virtuosum, ex quibus finis fructuosus omnia supplens necessaria maturescat, *de Consec. D. 1. Nemo ecclesiam: in Authent.* de monach. 3. col. 1. Et quod a Deo inceptum est, imperfectum esse non potest, *C. de emendaone. Justiniano Codice in principio*. Nec dominus opus aliquod imperfectum novit, *Ext. de bapistmo & ejus effectu: C. majores. Sed ad hec.* De ipsius igitur omnipotentia confisus, qui res penitus desperatas & quasi impossibiles donare potest, *C. de veteri Jure enucl.* l. 1. *ad finem prime columpne*. Et qui omnium scientiarum caput est & rector, qui est etiam omnium gratiarum mirabilis elargitor 16. q. 1 *revertimini*. Cujus quidem gratie spe plenius confidens presens opusculum sic aggredior.

Excellentissimo & illustrissimo Principi & domino meo singulari, Humfrido filio, fratri, & Regum patruo, Duci Glocestrie, Comiti Pembrochie, & magno Camerario Anglie, Minimus orator tuus Nicholaus Upton, Ecclesiarum Cathedralium Sar. & Wellie Canonicus salutem longevam cum omni prosperitate possibli & felici.

Et quia de pertinentibus ad officium militare, prout in diversis actibus bellicis in *Francia* & alibi asseris diversa me vidisse, & visa in libellum redigi, tuoque desiderio postulas exhiberi. Adquievisem libentius, si scirem quod dictum libellum esses quasi furtivum aliquod habiturus, quia in lucem prodire proprie imperfectionis conscientia non presumit.

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[1] The original introduction which Upton wrote was not translated by John Blount. I have included it here, taking it from Bysshe's edition, ps 1 - 3

Timoe enim si publicis exponatur aspectibus, ne lectorem jejune macies orationis offendat, michique ad jactanciam reputetur edicio, quam tamen non fastus ostentationis elicuit, sed instancia tue caritatis extorsit. Mallem siquidem predicta, sicut asseris per me visa, oblivioni tradere, & paucula scripta mea tenebris dampnasse perhennibus, quam ridendi materiam prestitisse, que eo securis aliena subsannat, quia sua simili periculo non exponit. Non enim ceteri me vel mea tuis oculis intuentur, a quo si quid in me bonum est, magnificatur attentius, & imperfectioni venia facilis indulgetur. Animi siquidem illorum quos odii sibi vel invidie vendicavit affectio, sicut benignitatem indulgencie nesciunt, sic rationis judicium non attingunt.

Ego itaque precepto & voluntati tue deesse non audeo, ne forte verecundiam negligentiam putes. Quapropter summo studio materias quas potui congregavi, quarum aliqua licet cruda apud me exemplaria remanserunt. Ea vero que novissime per me visa & scripta sunt, adhuc quendam trahunt presenti senectute defectum, quia provectior etas memoria jam segniori torpescit. Et varie occupationes necessaria spacia studiis non indulgent, verumptamen si quandoque me vel reverentia tue excellencie, vel quantitas negocii, aut quandoque qualitas pertrahit ad scribendum, omnia mihi cum difficultate proveniunt, cum & ebeciorem senectus me reddat, & insolencia tradiorem.

Mitto itaque quod postulanti negare non audeo, sciasque non exhiberi judici, sed domino propicio apud quem gratia pocius patrocinatur ad veniam, quam exactior pericia reducat ad formam. In presentiam itaque tuam procedat meus rudis iste libellus, qui ex quatuor consistit partibus ordinatus. In prima namque parte tractatur de milicia & nobilitate.

In secunda vero de bellis & actibus excercitus in eisdem.

Tertia autem pars ponit nobilitatem colorum in armis depictorum.

Et in quarta ponuntur regule, per quas colores Armorum & ipsa Arma clarissime disceruntur. Quem quidem libellum ab inicio sic baptizo, volens quod imposterum vocetur *Libellus de militari officio*.

Appendix B

Book One, Chapter 18 (not in Blount)[1]

Unde non immerito dubitatur, an idem sit in feudo ligio? Pro cujus questionis intellectu oportet scire, an primum suppositum sit verum; & videtur quod non: quia contractus nominatus, quia habet proprium nomen, & parit actionem, sed in contractibus nominatis non habet locum penitentia, ut *C. de accion. & obligac. L. sicut*. Nec obstat si dicatur quod ex feudo oritur condicio ex moribus, sive condicio ex lege *Frederici*, vel Conradi; quoniam ex donatione oritur conditio ex lege, & tamen hodie est contractus nominatus, ut notatur in *l. finali. F. de conditionibus ob causam*.

Item compromissum est contractus nominatus, & tamen si est compromissum, ex nudo pacto oritur condicio ex lege, ut *C. de arbitris l. penultima*. Signum autem quod sit contractus nominatus est, quia non habet locum penitentia, immo committitur pena. Item si dicamus quod iste contractus sit innominatus, sive nominatus, aut anomalus, quia plura sunt negocia quam vocabula, tamen hinc inde servari debet equalitas, *F. de arbitris l. set interpellatus / si ab altera*. Sed ita est quod dominus non potest resilire a concessis, ut in *c. 1. de forma fidelitatis*; ergo nec vasallus, quia si sic, tunc sequeretur quod vasallus majoris esset auctoritatis quam dominus, quod esset innaturale, & absurdum: igitur, &c.

Item cum perfecte nata sit obligatio, & actio alicui domino radicata, non potest postea tolli volutate unius, ut *F. de negoc. Gest. l. Pomponius scribit*: igitur, &c.

Item grave esit fidem fallere, *F. de constituc. pec. L. 1 in principio*: unde plerumque infamia sequitur insidos, *F. de infamibus l. furti / mandati*. Dominus Barth. Ad precendentia argumenta sic respondet. Aut loquimur in contractibus nominatis, & non est locus penitentie in eo, in quo est obligatio contractu, ut in *l. sicut F. de act. & oblig. & l. in commodato / sicut F. commodati*, & hoc nunquam fallit: Aut loquimur in contractibus innominatis: Et tunc aut sunt celebrati causa dirimendarum litium, & tunc non est locus penitentie: Aut ex utraque parte aliquid est impletum, & non est locus penitentie, quia obligatio est perfecta, ut *in l. ex placito C. de rerum permutac*. Aut ex una parte aliquid est impletum perfecte, et ex alia non: & tenc superest facultas implendi, & est locus penitentie, ut *F. de conditione causa data causa non secuta in l. 3 / sed & si tibi*. Aut non superest facultas implendi, Et tunc. Aut non superest modo, nec unquam fuit facultas implendi de jure vel de facto.

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[1] Section misses out by Upton from Book One, chapter 18. I have copied it from Bysshe's edition, ps 45 – 47

Aut ab inicio fuit facultas, & postea desiit. Primo casu, aut ille qui implevit fuit sciens, & non est locus penitentie, aut fuit ignorans, & tunc secus. Ex parte vero recipientis non distinguitur scientia vel ignorantia, ut in *predict. L. 3 / si liber homo*.

Secundo casu potest penitere, dum tamen indempnitati adversarii consulatur; non autem potest repeti quasi causa non secuta. Et ubi facultas implendi de ficit post moram adversarii ex parte implentis, ex parte vero ejus cui est impletum nullo modo locus est penitentie, sed ista solutio non placet. *Jacobo de Bello visu in li. Feudorum c. 1. de vassallo qui contra constitutionem Lotarii &c.* ubi ipse tangit hanc questionem, & clarius in *c. ultimo in e. li. feudorum de capitaneo qui curiam vendedit*. Tu tamen dic, Aut feudum est simplex & in determinatum, propriam habens naturam, aut est occasionatum & determinatum, nec habet simplicem & propriam feudi naturam. Primo casu potest refutare feudum domino invito indistinte, ut *in dict. C. de vasallo qui contra constituc. Loth*. Secundo casu non potest, ut *in preallegata lege, sicut C. de act. & ob. Cum concordanciis*: & est ratio, quia primo casu non est obligatus cum effectu, sed solum astrictus servire juramento, & naturali jure seu, instinctu nature propter beneficium quod recepit a domino, ut *F. de petic. Heredit. L. set & si lege / consuluit*, & ideo potest refutare feudum, & solum deum habet ultorem si fidelitatem non servaverit, *C. de Jurejur l. 1 & 2.*

Et hic in juramento inest quedam tacita conditio, scilicet si res in eodem statu permanserit, & feudum retinuerit *ar. 22 q. 2. c. nequis & Extr. de Jurejur. c. quemadmodum maxine*, quia videtur esse sibi datum feudum quandiu habere voluerit, ut *in dict. ti. de vassallo qui contra constituc. Loth.* igitur & juramentum quod accessorium ejus videtur prestitisse, eodem modo *ar. F. de usufruct. l. si absentem & l. cum fructuarius*.

Set in 2 casu est obligatus ex pacto civiliter & naturaliter, ut per stipulationem, vel per pactum appositum in traditione, ut *C. de pact. l. petens & F. de pact. l. in traditionibus C. de rerum permutac. l. rebus*: & tenetur actione ex stipulata, si incertum est in stipluatione vel certi conditione, ubi certum vel prescriptis verbis actione, si stipulatio non intercessit, vel secundum quosdam certi conditione ex moribus, & ideo hoc casu non potest refutari invito domino *ar. C. de transact. quamvis*. Vel distingue brevius.

Appendix C

Authorities referred to in *De Studio Militari*

Legal Authorities

Accursius	Gloss on the Digest
Johannes Andreae	Novella
Jacobus de Ardizon	Summa sive Epitome Juris Feudorum
Avicenna	Liber canonis
Bartolus	C. de dignitatibus
	De erogatione militare anon
	De Insignis et armis
	De Repræsaliis
	De test: militari
	Comment. in Digest
Guido de Baysio	Rosarium
John de Blanasco	Super titulum de actionibus in Institutis
Henricus Bouhic	Decretales
Bernardus Compostelam	Summa
Durandus	Speculum Iuris
Dynus	Comment. in Regulus Iuris
	Comment. in Liber Sextus
Hostiensis	Summa
Giovanni da Legnano	Tractatus de Bello, de Represaliis et De Duello
Ramón de Penyafort	Summa
The Speculator	Speculum iudicale
	Comment. in De raptoribus
Baldus de Ubaldis	Comment. in Liber Extra

Works on heraldry

Bartholomaeus Anglicus	De Proprietatibus Rerum
John of Bado Aureo	Tractatus de Armis
Bartolus	De Insignis et Armis
Isidore	Ethimologiarum
Marbode	De Lapidibus
Alexander Neckam	De Naturis Rerum

Pliny the Elder	Naturalis Historia
Solinus	Collectanea rerum memorabilium
Thomas of Cantimpré	Liber De Natura Rerum
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Vincent of Beauvais	Speculum Historiale
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Pliny	Naturalis Historia
Trogus Pompeius	Historiae Philippicae
Valerius Maximus	Facta et dicta memorabilia
Vegetius	De re militari
Religious Writers	
Ambrose	Exameron
Augustine	De verbis Domini
	De civitate Dei
St Bernard	Super Cantica
Crisotomus	Super Matheum
Gregory	Moralia
St Jerome	De conjugio
Jeronimus	Super Ezechielem
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