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ORDERED THAT THE ...  
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ORDINANCES that were instituted to be observed and kept in Combats, by Philippe Bel King of France, in the year 1306.

Taken from Favin's Theatre of Honour and Knighthood.

**I**T was anciently the custom of the Germans, French, Goths, Lombards, English, and Spaniards, to undertake the hazard of arms and combat, to justify themselves when a false accusation was forged against their honour, and to maintain the truth of some just cause when the proofs were doubtful, and so obscure that it could not be proved to the contrary.

The accuser, for want of proofs or witnesses, affirmed before the King, that his opponent is a traitor, perjured, and a false lyer, and will justify the same in single combat, one to one, or some other for him, if (by age or infirmities) he cannot attend the combat.

Then the accuser throwed his glove on the ground, which the accused, or some person for him, was to take up (which signified the challenge was accepted). Then the field of battle, the day, and arms for the combatants, were assigned by the King: for without his permission duels or combats were not allowed; and, in absence of the King, the Parliament appointed it; not finding any other remedy whereby to satisfy the parties.



Each combatant swears to appear on the day and place appointed, on pain of being reputed guilty, for non-attendance; or if either of the parties depart (without leave of the court) after the challenge is accepted, he shall be proclaimed guilty and a coward.

The appellant and defendant shall go to the place appointed on horseback, their horses covered with foot cloths, and their arms painted thereon, the visor or fight of their helmets down, their shields about their necks, their lances in their hands, and swords by their sides.

The Herald is to come on horseback to the gate, or entrance of the lists (which is a circuit inclosed with rails), and there he is to cry three times, once before the arrival of the appellant, the second when the appellant and defendant are entered and made their presentations before the judge, and the third when they return from taking their oaths, which are, viz.

*Now hear you, Now hear you, Now hear, Lords, Knights, Esquires, and all manner of people, that which our Lord the King commandeth and prohibiteth, upon pain of losing body and goods.*

*That no man shall be armed, neither wear any sword or dagger, or any other armour whatsoever it be: if they be not guards of the field, and such as is granted by the King.*

*Moreover, the King, expressly forbiddeth, that no man during the time of combat shall dare to be on horseback; And that upon penalty to gentlemen, of losing their horses, and to servants of losing an ear: and such as are appointed guides and conductors to the combatants, shall*



dismount at the gate of the lists, and their horses sent away.

Moreover, the King enjoineth all persons, of what degree soever they be, that they seat themselves, that every one may behold the parties combating, upon pain to have a hand cut off.

Moreover, the King forbiddeth any person to speak, make sign, cry, or make any token whatsoever: and that upon pain of forfeiting body and goods.

The appellant ought to be first in the field; and before the hour of mid-day, and the defendant before the hour of four in the afternoon; and whosoever faileth of the same is adjudged guilty, without just cause being made to the judge for prolonging the same, when another day is appointed.

The appellant shall say to the Marshal, and likewise to the Judge, when he is mounted on horseback, at first entering the field,

*My Lord the Marshal of the field: Behold I am the Appellant appointed by our Lord the King, armed, and mounted like a gentleman, that must combat with such a gentleman, upon such a quarrel; therefore I take our Lord, our Lady, and my Lord St. George, to witness, on this day to us assigned by our Lord the King. I present myself unto you, requiring that you will grant me my portion of the field, wind and sun, and all things necessary in such a case. Which by you performed, I will do my duty, by the help of God, of our Lady, and of my Lord St. George the good Knight.*

The Combatants may bring with them bread, wine, &c. for one day, with all things necessary for them and their horses.



The lists for combat shall contain 120 paces in circuit, 40 paces in width, and 80 in length; the pavilions of the combatants are placed in the field, that of the appellant on the right hand of the judge, and the defendant on the left; then the combatants (first making the sign of the cross) appear before the scaffold, where the judge commands them to raise up their visers, and say as follows, the appellant first, then the defendant:

*My most dreaded Lord, I W——, who in your presence am come this day and at the hour appointed to do my duty against L——, who is a traitor and a liar. And therefore I take God on my part, and who therein shall be my help this day.*

After which, the Marshal grants them leave to dismount and go to their pavilions. Then the Herald is to mount upon the gate of the lists, making his second cry.

Then the appellant comes from his pavilion on foot armed: he then is conducted by the guards of the field and his council before the scaffold, where the King is seated; there the appellant falleth on his knees, before a table richly decorated, on which stands a crucifix and missal; on the right of the table is seated a priest, who speaketh to the appellant as follows.

*Arise, Knight, (Lord or Esquire of such a place), who art Appellant. You behold here the remembrance of our Lord and Saviour, who died, only to save us. Require you mercy of him, and earnestly beseech him, that this day he will assist you, according to the right you have, for he is the only Sovereign Judge. Think on the oaths which  
you*



*you are to take; for otherwise your soul, honour, and self, are in great peril.*

Then the Marshal taketh the appellant by both the hands with the gauntlets on, and placing his right hand on the crucifix; and his left on the *Te Igitur*, then speaks as follows.

*I W——, Appellant, do swear upon this remembrance of our Lord and Saviour, on the holy Evangelists, and on the faith of a true Christian, and by the sacred baptisms, which I hold of God, that I have a just and holy quarrel, and have appealed L—— a false traitor and liar, who hath a false and wicked quarrel on his part to defend: this I will make good this day, with my body against his, by the help of God; of our Lady, and of my Lord St. George.*

This oath being taken, the appellant returneth to his pavilion.

The defendant in the same form and ceremonies takes the same oath as the appellant, and returns as the other to his pavilion.

At the third oath, the guards divide on either side: then the appellant and defendant walk together from their pavilions, and stop before the crucifix: then the Marshal taketh their right hands, pulling off their gauntlets, which he hangeth on the two arms of the cross; then the priest, being present, reminds them of the passion of our Lord, the oaths they have taken, the sentence of God, who favoureth nothing but the right cause; advising them, rather to trust to the mercy of the King, than hazard the combat. When they come to see each other, and to shake hands, at parting, the Marshal is to demand of the appellant, “ You



W——, as Appellant will you swear?" If he repent of it; we will receive him into our mercy, or the judge, before whom he should perform the combat, to give or enjoin him penance, or further to appoint our pleasure. If so, the parties are brought back to their pavilions, and not to depart without orders from the judge.

But if the appellant will swear to be true what he has asserted; then the Marshal must demand the same of the defendant: then returning to the appellant, who speaks after him, viz.

*I W——, Appellant, do swear upon this true figure of the passion of our Lord and Saviour, and on these holy Evangelists, on the faith of Baptism as a Christian, which I hold of my God; on the most sovereign joys of Paradise, which I utterly renounce for the bitter pains of hell: upon my soul, my life, and upon my honour; that I have a good, holy and just quarrel, to combat with this false traitor and liar before me; and in this case I call God for my judge, our Lady, and my Lord St. George, that good and worthy Knight. And for this faithfully (by the oaths which I have taken) I intend not to bear upon myself, nor upon my horse, words, stones, herbs, charms, sorceries, drinks, characters, invocations on spirits, or any other thing, wherein I might place the least hope of helping me, and to hurt him. Nor have I any other recourse, but to God only, and confidence in my right; by my body, by my horse, and arms to prevail. Whereupon I kiss this figure of the cross, and these Holy Evangelists; and so am silent.*

After this oath thus taken, the Marshal goes to the defendant, whom he causeth to use the same form and words.



words. When the defendant has kissed the crucifix, for more clearing the right of them both; he taketh the parties by the right hands, which they give each other; he then commandeth the appellant to say to the defendant, viz.

*O thou, whom I hold by the right hand, by the oaths that I have taken, the cause for which I have appealed thee is a good cause, and lawful for me to appeal thee, wherein this day I will combat thee. Thou hast a bad cause, and no just quarrel to enter combat, or to defend thyself against me, and that thou knowest full well. Whereupon, I call God, our Lady, and my Lord St. George, that good Knight, to be my true witness, a false traitor and liar as thou art.*

Then the Marshal says to the defendant, that he must make the same protestation as the appellant, taking him by the hand as he did the former. After these oaths are taken by the combatants, they kiss the crucifix together, then, with their friends, return to their pavilions. Then the priest takes the cross, &c. and departs.

Then the Herald makes the last cry, all the people being seated and, silence made, the parties being ready and, by command of the Marshal, the *Herald in the midst of the lists* crieth three times, "Gentlemen, do your duty." Then the Combatants leave their pavilions, and mount their horses, with their friends walking with them, when their pavilions are taken down, and carried out of the lists.

After these ceremonies are over, the Marshal, who must be in the field by the scaffold, *carrying the glove in his hand*, cryeth three times, "Let them go together;"



at which words he throws down the glove. Then each is left to his pleasure to mount on horseback; their friends depart, leaving each man his bottle of wine, a loaf of bread, and a napkin, and then the combatants are to do their duty.

We command, that *the gage of battle shall not be granted but in one of these two manners, that is to say: When one of the two parties confesseth the fault, and yieldeth himself. And the other; when the one shall bring the other forth of the field, alive or dead.* And, dead or alive as he is, the body shall be delivered by the judge to the Marshal, to order or do justice at our pleasure. If he be living, we appoint that he shall be delivered to the Heralds and King of Arms, by whom he shall be disarmed, his points cut, and his armour cast piecemeal in the lists, while he lies couched on the ground; but, if he be dead, he shall be likewise disarmed, and there left to our appointment, either to be pardoned, or sent to more shameful punishment, according as to us shall seem best: nevertheless, the hostages of the vanquished shall be arrested, until they shall have made full satisfaction to the party victorious, and the overplus of the vanquished goods shall be confiscated to the Prince.

It is our pleasure, that the vanquisher shall depart honourably on horseback out of the lists, carrying the weapon (wherewith he conquered his adversary) in his right hand, having his hostages delivered to him. And concerning this quarrel, whatsoever the information to the contrary, he is not to make any answer, neither shall any judge compel him. We also ordain, that the horse as he is, and arms of the vanquished, and all things



things upon him, do and shall appertain to the Constable, Heralds, and Marshal of the field, who have the charge of the whole.

## OF JUSTS AND TURNAMENTS.

Henry I. surnamed the Birder, Duke of Saxony and Emperor, decreed, to bring into custom running at the tilt, by solemn ordinances, (at that time, according to Favin, unknown to the Germans, but usual with the Nobility of England and France), invited by proclamation on a certain day those Princes, Earls, and Nobles, of any country, who were esteemed by their valour, in an honourable assembly, to make trial with others. And for obtaining a knowledge in the laws and ceremonies of these noble exercises, he had such articles as were necessary for the same, according to those practised in England and France, to be instituted, *viz.*

1. That once in three years, to celebrate Justs and Turnaments for exercise, and to know the nobility resorting to the same, all Princes, Lords and Gentlemen, being well armed, should be admitted. And those to be excluded as were detected of blaspheming God, the Trinity, or the Christian Religion. If any such person or persons (standing upon his or their Nobility) durst be so bold as to present themselves in this assembly: we ordain, that he or they shall be dismounted, and deprived of their horses and lances, and as a mark of infamy ride upon the rails exposed to the whole assembly.

2. Whatsoever person of the Nobility that shall speak evil of the Emperor, or condemn his ordinances and



commands, shall be excluded from the Turnament, forfeit his horse, and ride the rails.

3. Any of the Nobility, that shall abuse the honour of a wife, maid or widow, or possess himself (by force) of their goods and possessions, shall forfeit his horse, and ride the rails.

4. All Gentlemen are excluded, who are guilty, either of falshood, perjury, or breach of faith; if he dare present himself within the lists, is to forfeit his horse, and ride the rails.

5. Those who present themselves within the lists, that have betrayed their Lord, forsaken him in battle, or persuaded his Lord's servants to do the same; whosoever hath not assisted his fellow citizen, that did put himself under his protection, but hath through fear or cowardice left and forsook him, when he ought and might have protected him; such shall be excluded for ever from the Turnaments.

6. Any one procuring the death of his wife, or consenting thereto, or any that have given counsel, or lodged the murderers of his Sovereign, either before or after his death, shall be banished from these Justs and Turnaments.

7. Whosoever hath committed sacrilege, or hath usurped by force the property of widows and orphans, without making restitution, shall be expelled out of the Turnaments.

8. Whosoever shall surprize his enemy before he hath challenged him, or burn his houses, tear up his vines or corn, or if he or some other by his intelligence shall lie lurking on the highway for him:

9. Who-



9. Whosoever shall oppress his subjects or servants with novel impositions, or taxes, either by land or water, without the permission of his Sovereign, or whosoever under his government shall impose taxes upon foreign goods, by which means strangers are robbed and ill treated, and commerce hurt, *cum infamiae nota ademptus, septis imponatur.*

10. Whosoever being married is convicted of adultery, or a widower that keeps a married woman, or a religious sister, or he who forces a nun, let him be banished for ever from the assembly of Justs and Turnaments.

11. If any of noble extraction, not satisfied with his fortune, salary, or pensions from his Prince, but will deal in merchandize, for himself, or under borrowed names, shall be banished from this noble assembly of Turnaments.

12. If any man shall present himself under pretence that he hath been ennobled by his Prince, and presumeth to be equal to a Peer of ancient nobility, and cannot prove his birth in the fourth degree, by his father or mother's side, is to be caned, his horse taken from him, and ride the rails.

According to these articles, the first assembly or meeting was appointed to be at Magdeburgh (a dutchy in the circle of Lower Saxony), where the lists and bars for the field were prepared; for Justs at the lance, running at the ring; also the Barriers and Turnaments. The scaffolds for the Emperor, Princes, and Princesses of the train; Judges of the field (called Kings of the sports), the Senators, Burgomasters (of the place where the meeting was), the scaffolds to be hung with tapestry,



try, and decorated with the arms of the Emperor, Judges of the field, and the city of Magdeburg, with scaffolds for the Kings, Heralds, and Pursuivants of arms, trumpets, drums, and fifes. The whole to be at the expence of the assembly.

The day for the Jufts and Turnaments was proclaimed by the Heralds of the province, the place of meeting, as well without as within the said province; and to be under the protection of the Emperor, or Prince that caused the assembly. Forbidding, upon pain of death, all heretics, and all banished persons, to come within the space of ten miles.

Eight days before the *Turnaments*, a general proclamation was made, termed a public cry, forbidding any man of what degree soever to commit any trespass or offence, upon the penalty of paying twenty marks to the Judges of the Turnaments, with confiscation of arms and horses to the Kings, Heralds, and Pursuivants of arms.

No man was to defame the honor of ladies, or their daughters, on pain of imprisonment.

That no Gentleman should presume to the Turney, if he is not a Gentleman of three descents, as well by the father as the mother's side.

Every Gentleman, presenting himself at the Turney; that had married meerly for the sake of riches, or delight in a woman of low condition, was to be caned, his arms, horse, &c. taken from him, and to ride the rails; and be proclaimed, by the Heralds, unworthy for ever to appear among Noblemen; and his children, to

the



the third degree, to be declared boors, and excluded the Turney.

That all that were admitted stood bound to confess their sins to such priests as were appointed by the Bishop of the place: after they had presented their helmets, arms, and devices, to the Judges of the field, who caused the same to be registered, with their names, arms, signatures; as also their equipage and train.

Those that were admitted in the lists were by oath obliged to present themselves to the Judges, particularly to the Judge of his jurisdiction and province, to be entered in the register of Noblemen of the same province, in the presence of the King or Heralds at arms belonging to the same. He is forbid to appear with an improper horse, upon pain of losing the same, also his arms, &c.

They are to use no other weapons than a Knight's battle axe or club (which, according to Favin, was made of crab-tree, heavy, and full of knobs, the handle decorated with gold or silver, and a variety of figures), and a sword. They may use a lance with a blunted head, to just one against the other, but not with a sharped head, and for running at the ring the point must be rebated.

As for the equipage, &c. for the day, it is to be prescribed by the *Kings of the Turney*, in such manner as is proper; viz. *A Count, may present himself, with five men on horseback. A Baron, four horses; a Knight, three; an Esquire, two.* Except they will pay all extra charges of men and horses, above what is allowed by the Prince that appointed the meeting, and by monies  
from



from the common purse: Excepting the Nobility of such a circle, at whose expence such an assembly is to be, and may in the like manner be made.

An oath was given to all that came; but particularly they were to forget all hatred and rancour which formerly they had, or instantly bare to one another, upon any subject or occasion whatsoever.

After the Jufts and Turnaments were performed by the combatants, armed at all points, with their coats of arms, then each man might combat with his companion, at the blunted lance. Or they would challenge one another, two to two; or a certain number of one province with the battle-axe, to lay, if possible, by blows, one another upon the ground,

These barriers with battle-axes were performed by troops within the bars; each man being guided by four deputies, to keep the Champions in their rank and order. There were four to guard the entrance into the barriers, for directing the champions to the turney. The barriers were inclosed with strong cords, which the guards used to cut when it was time, and made the signal of retreat to such as were not able to stand this manly exercise; or, being stunned with the blows, or out of breath; others almost stifled in the crowd; and others were dismounted and trampled under foot. The latter, that had the ill success to be dismounted in the Turney, were to be seated on the bars, and compelled to ride the same bare headed, without arms, his coat of arms excepted, to be known by all the assembly for one unskilful in arms or sitting his horse.



After the sport of Turney and barriers, for their last exercise was that of the sword, not for offence, but to cut the leather straps, and make the arms, &c. of his opponent fall from him in the field, for benefit of the Heralds; for it belonged to them and the Judges before the beginning of the turney (which lasted fifteen days) to visit and revisit the arms, &c. of such as were admitted into the lists, and make the ignorant or ill-armed ride the rails.

This last exercise being over, they went to sup at the general banquet, each man to that of his own province: where the Ladies and Gentlewomen applauded the praises of them whom the judges had commended; and delivered the prizes, granted by the Prince who caused the Turney. An act thereof is made and signed by the King and Heralds of Arms of every Province.

Afterwards thanks are given and returned on all sides, as well to the Prince that defrayed the expence, as to the Judges of the Turney, and those that gained the prizes. Then begun the dances, wherein the Ladies and Gentlewomen extended their favours to the Champions, who led them in the dance.

Note, a dispensation was granted to all bearing the dignity of King, Prince, and Duke, who may abstain from these Turnaments; because Kings being contented with the honour of the crowns of their kingdoms, and Princes and Dukes with their high titles, have not to contend for honours (as others who are inferior) in these Turnaments; nor expose themselves in such exercises; but only to take pleasure in beholding them,



them, and to give presents to those who are judged to be the best and most worthy of reward.

Pope Innocent and Eugenius, in the year —, made the following ordinance against these Jufts and Turnaments, which in general were unfortunate to some who lost their lives; as did Francis the First King of France, at Paris, in the year 1559.

*We forbid hereafter to keep or hold those detestable fairs and markets which are called Turneys Exercises, whercin the Nobility are present in person at days appointed to perform their ostentation of boldness, and uttermost means of strength, in all their best and richest bravery, assaying one another to their peril and danger, that men should lose both bodies and souls. It is therefore provided, that if any man (in such assemblies) shall run the fortune and jeopardy of life: howsoever he may be penitent for it, and desire to be absolved; yet notwithstanding he shall be deprived of burial in hallowed ground and places of Christian interment.*

Note, This ordinance was renewed in the 11th General Council of Laterane, held at Rome by Pope Alexander the Third, in the year 1179. And at the General Council of Vienna, Pope Clement the Fifth, in the year 1312, prohibited Jufts and Turnaments in the same manner as above.