

Duel of Theobald versus Seitz – Germany, 1370

translation & commentary by Jeffrey Hull

This particular account of judicial duel (*kampf*) from Germany of 1370 is found in Volume II Chapter 14 of the *fechtbuch* (fight-book) *De Arte Athletica* (aka *Liber Artis Athleticae* – Cod.icon. 393 – circa 1542) by that citizen of Augsburg and fencer called Paulus Hector Mair. Although his Latin recounting is nearly two centuries after the event, it does read with authority, as Mair was the practically peerless fencing historian of 16th Century Germany (1). A similar account is found in *Augsburger Chronik* (circa 1457) by Sigismund Meisterlin (2). Mair's account is highly interesting, not just for its description of martial techniques, but also for its description of legal proceeding and dueling-day ritual. And indeed, all that Mair describes here is readily corroborated by, or does not conflict with, other fight-books. It is one of many accounts from late 14th Century, during the time when the eventual grandmaster of *Kunst des Fechtens*, Johann Liechtenauer, must have been ascending as a young knight and martial artist. My translation is based upon Josef Würdinger's summarising German translation of Mair's original Latin recounting, but with comparison to Mair's original made to corroborate and clarify certain points. Würdinger's translation was reprinted recently (2006) by Hans Edelmaier (see *Bibliography*). Lastly – I have made occasional interpolations and several textual notes, as such seemed needed to make these events more comprehensible to the modern reader. ~

In the course of one of the feuds which Duke Stephan had to endure and counter by arrests in Swabia (3) during the years 1369 and 1370, this did happen:

A Swabian noble, Theobald Giß von Gißenberg, accused his peer, Seitz von Alheim, of robbery (4) in presence of the Duke. Alheimer defended himself against this accusation, and for his part made one against Giß before court, and pled his guiltlessness – and how the rightness of his accusation against the assertion brought forth by Giß may be proven with the sword. His adversary accepted this, and appeared on 19 January 1370 the eve of Saint Sebastian's Day, at the first hearing for the judicial duel in München. There, despite mediation-negotiations, both parties were steadfast regarding their respective assertions, so they were allowed the duel, and they had to swear themselves to abide by the king's law, the dueling rules, and the decisions of the judges (5).

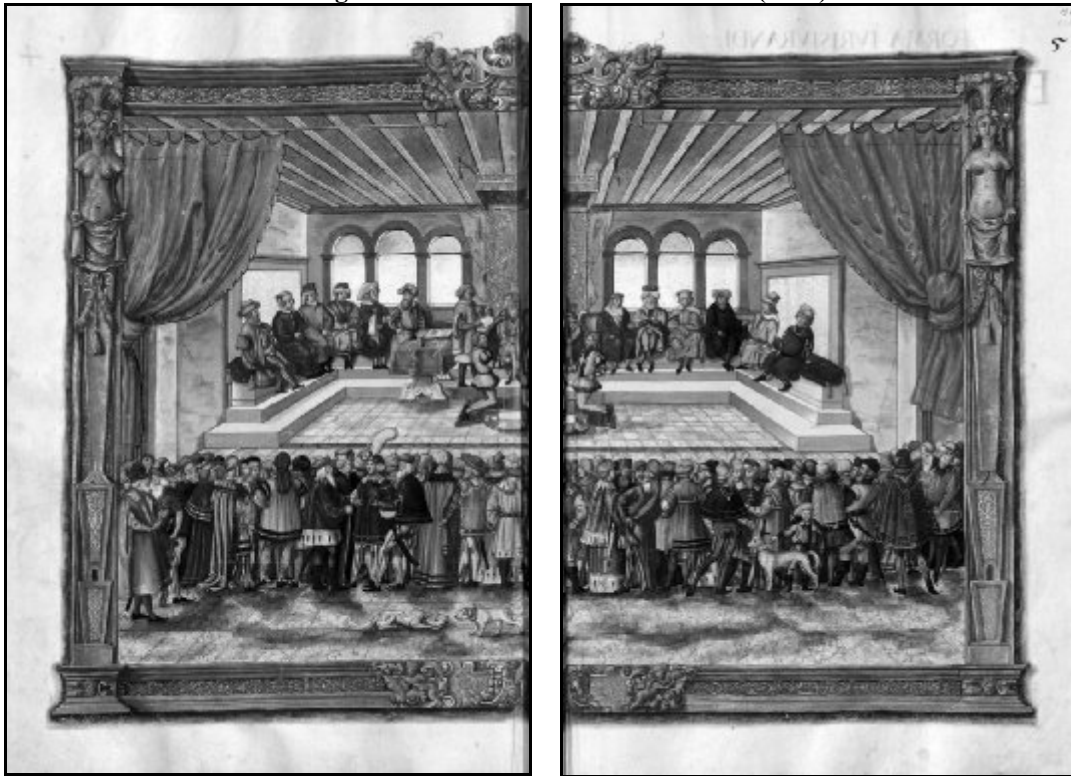
The tribunal determined the parameters: The duel had to take place on 04 February the eve of Saint Agatha's Day (6) within the Market Place of München; whereto the combatants had to appear upon horses in linen clothing; with bare heads (7), each with one thumb-protected gauntlet (8), and with wooden or leathern shields (9); and armed with lances, swords and daggers (10).

At the firmly set and appointed time the adversaries arrived in München with great retinues, swearing the usual oath hand-in-hand with the judge, and then betook themselves to their respective lodgings. The judges surveyed the dueling-place, and at one o'clock in the afternoon first called the appellant Theobald, whom one Gumpenberg escorted, said man being one of two court officers (11) who carried forth the lances, and thereupon the defendant Seitz, whom one Pappenheim rendered similar service, to the dueling-place. Here the weaponry and the pieces of armour (12) were checked by the grit-wardens (13); the peace-overtures (14) were announced to the onlookers by the heralds; thereafter both the knights were bestowed the Love of Saint John (15) by a priest; then they were given the sign for beginning the duel by the judges; and then both the grit-wardens, Pappenheim and Gumpenberg, resided within the barriers (16) while forthwith that selfsame court of justice took seats upon a platform (17).

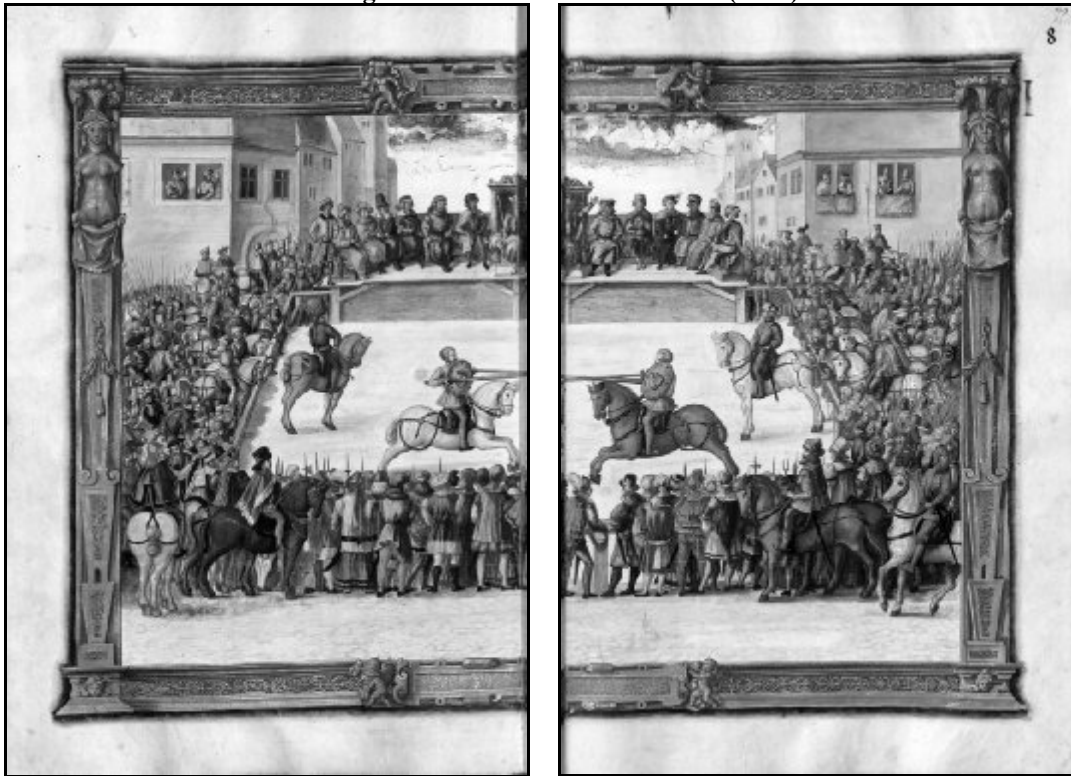
One-half hour had already passed for the duel upon horses with lances and swords, without so much as any wounding of either side happening (18). Then both combatants lost their swords, and Giß swiftly grabbed for the dagger. Alheimer sprang from horse, and took up his sword, then Giß followed his example and gripped the lance laying there. Now a new duel enflamed upon foot, until Alheimer set up openings to his adversary, thus allowing one thrust into the body, then one into the region of the groin, then at last one hack atop the head to bring it closed (19) – whereupon Giß tumbled to the ground. So then the forth-hastening duel-helpers wanted to slip the shield under his head, and console him, yet there, under their hands, he gave up the ghost (20).

So then the judges acknowledged the guiltlessness of the Alheimer, and while he thanked God for the victory, the friends of the fallen escorted him to the grave. ~

Hearing in München – *De Arte Athletica II* (1542)



Starting Ahorse – *De Arte Athletica II* (1542)



Textual Notes

(1) PH Mair is appreciated by modern fencers not only for his own fight-books that presented past teachings in methodical and illustrious manner, but for acquiring and preserving original fight-books by past masters. His status as the premier fencing scholar of his place & time is rivalled only by no less personage than Joachim Meyer.

(2) Which states simply that: *In the year 1370 on Saint Agatha's Eve, came Theobald Giß and Seitz von Altheim to München, all bare upon horses, and Seitz von Altheim prevailed, he stabbed the Gißen through the belly by the navel, such that he was killed that very hour.*

(3) So many *fechtbücher* hail so notably from Alemania that it is hardly surprising to find this duel involved a Swabian and a Württemberger.

(4) Whether or not Seitz was actually guilty, such a charge against a noble was plausible to the peerage of that time. For example, the “robber-barons” of the Rheinland, who would lead or send forth troopers to extract “toll” from hapless travelers crossing the lord’s territory and/or waters. Those robber-barons had their heyday during the HRE Interregnum of the previous 13th Century until the Rheinbund and the Habsburg Kaiser crushed them. However, later lords of the 14th Century did occasionally exhibit similarly bad behaviour, so such was known circa 1370.

(5) Mair indicates plural “judges”, whereas other texts about duels may indicate singular “judge”. Such variations were probably due simply to the law of the land where this event took place – in this case it was Bavaria.

(6) Notice that these combatants are given a mere fortnight until combat, instead of the “standard” forty-or-so days as per Talhoffer (1459). Whether the date happened to fit anyone’s possible astrological preference, e.g. as per belief of some knightly orders explicated by Talhoffer (1443); or was simply thought unneeded by the judges as each belligerent was already a trained knight; is hard to say. The Saint Agatha here seems to be the Carinthian-Austrian one, revered for being a long-suffering yet faithful wife.

(7) So that each combatant could be clearly identified, to insure that he himself fought, instead of some substitute.

(8) Perhaps another term for what we may call “mitten-gauntlet”? Or perhaps it was a “half-gauntlet”?

(9) Probably more precisely the shield (*clipeus*) mentioned here in Volume II Chapter 14 was a targe (*tartsche*) or buckler (*buckler*). Mair’s word-choice does indicate “round-shield”, and his illustration portrays the shields as two-foot diameter steel neoclassical umbos, similar to ones featured by Achille Marozzo (1536). Yet he features very *Walpurgis*-like portrayals of fencing with sword & buckler (*ensis & clypeo*) earlier in Chapter 10 (plates 17-56); and features portrayals of knightly dueling with the usual three main weapons (see Note 10 below) plus targe (*scutu*) later in Chapter 16 (plates 1-10). So Mair’s words and pictures in Ch. 10 & Ch. 16 sort of disagree with his picture in Ch. 14, as well as the artifactual likelihood of 1370 Germany. The result is that he portrayed the 1370-duel with the anachronism of an umbo from his own time circa 1542. Indeed, Mair often portrayed scenes from earlier fight-books in middle 16th Century conventions, via clothing, arms & armour, etc. The German knight of 1370, when utilising a shield in duel, would most likely have utilised either targe or buckler, especially the former as it was meant to go both ahorse and afoot, which matches the action indicated by Mair for the present duel. Such targes were the favoured shield-design for knightly duel from middle 14th Century through the entire 15th Century, being sort of squashed heart-shaped, and as Mair indicates, were made of both wood and leather. To compare & contrast – see sword & buckler of *Gladiatoria* (1435-40) and see targe with spear and sword of *Codex Wallerstein* (1380-90 & 1450s). However, since Neilson (see *Bibliography*) speaks of the “campfight” of the Saxons, apparently a kind of *kampffechten* known prior to circa 1000, which often involved sword & buckler, then the shields may perhaps have been bucklers, especially as the tradition lasted and straddled each side of 1370 – as witnessed by texts from *Walpurgis* (1300) to *Gladiatoria* (1435-40). So with any variety of sources on either side of 1370 showing the sword paired either with targe or buckler for the German knightly duel, it is hard to say which exactly was used at that particular duel – yet doubtlessly one of those smaller kinds of shields, likely the targe.

(10) These are the three main weapons of *kampffechten* (duel-fighting) as advocated by 15th Century *fechtmeister* (fight-masters) like Von Danzig (1452). Here it is a good guess that the sword (*gladius / ensis*) was probably more precisely a longsword or bastard-sword, as portrayed by manifold German *fechtbücher*, for wielding with the

aforesaid shields. However, we could not rule out the possibility of the shortsword. Here lance or spear (*hasta*) was something wieldy, up to two ells long with a sharp point, as portrayed by *Codex Wallerstein* (1380-90 & 1450s) or Talhoffer (1450 & 1459) and others – so not a bloated, exploding, coronalic things. The dagger (*pugio*) was likely ballock or rondel, maybe quillon, again as portrayed by manifold German *fechtbücher*. Also, wearing only linen clothing & one gauntlet each while wielding swords indicates this duel could, in turn and interestingly, be characterised as a kind of *bloszfechten* (unarmoured fighting). Presumably the linens worn were simply their arming-clothes, similar to what we see in the *fechtbücher*, thus the typical *wams* & *hosen* of late 14th Century Germany.

(11) Assigned by the court, and not chosen by the belligerents, to be uninvested & imparital “seconds” at the duel.

(12) Apparently just the aforesaid gauntlets, so not full harnesses of composite armour typical of late 14th Century.

(13) The “grit-wardens” are the same as armigers or squires.

(14) Done by the heralds on behalf of the combatants and probably with approval of the judges. Likely knowing full well that angry rabble could make things bad for the winner, and/or start an ugly riot with his own supporters during or after the duel, each knight wisely sent his herald beforehand to tell the crowd around the barriers that he has no quarrel with them, wishes them well, bids them good tidings and so forth. Mair illustrated a massive armed crowd at the scene depicted in his book, which we have no reason to doubt.

(15) Not only the blessing invoked from Saint John the Evangelist, but also the wine or cider-wine as sacramental libation given as a last drink to those expected to die.

(16) To guard their respective knights from any interlopers and to carry out any orders from the judges forthwith.

(17) Thus overlooking the dueling-place.

(18) Thirty minutes of fight upon horse without injury, followed by fight upon foot for however long, may seem incredulous – but that is not so. Von Danzig ranges the spectrum of successive dueling permutations – from horse, to foot, to ground, evincing that duel could be long and of multiple acts. So whether told us by fight-books or by chronicles, such extended combats were plausible and apparently actual. See Talhoffer (1450) for horse-fighting.

(19) We may conjecture whether these two thrusts with the sword were single-handed or half-sworded (the *halbes schwert* / *kurzes schwert* of German fencing), and perhaps again, conjecture the dimensions of the swords. The final hit to head seems an edge-strike with sword, *grande vulnus inflixit*, probably a hewing smite.

(20) Yes – it is the exact same idiom for “died” both in English and in German.

Dueling upon Horse

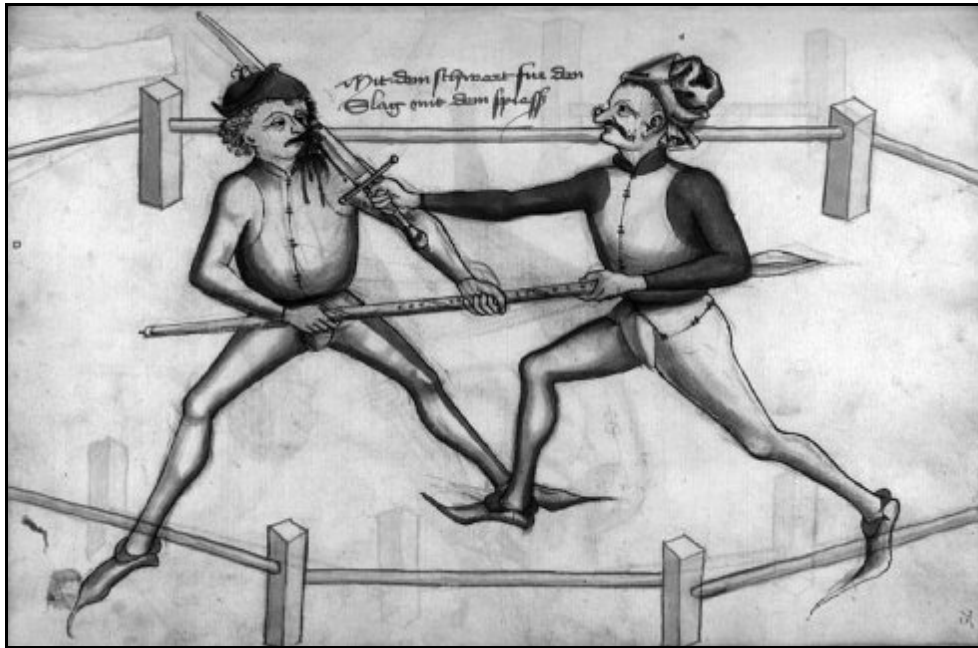


Horse-fighting from Talhoffer (1450)

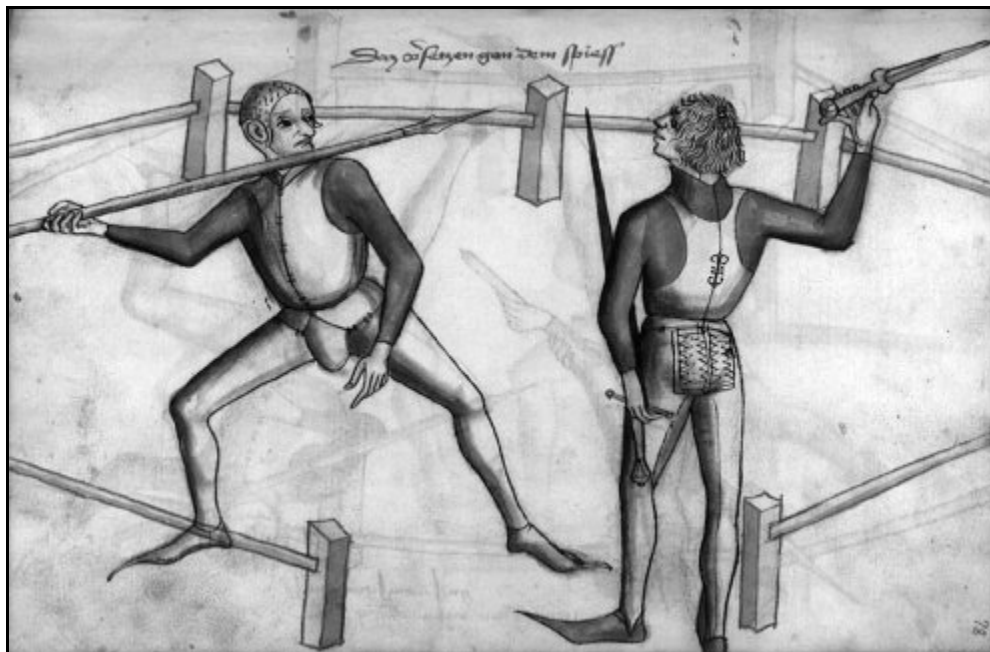
The sort of protracted mounted combat of which Theobald and Seitz apparently partook is no surprise, as the maneuvers and lancing involved were not the linear, rigid contest of per tourney jousting – it was circular and dynamic. These images, albeit from later period, do evince the nature of horse-fighting (*roszfechten*) as laid down in the late 14th Century by Johann Liechtenauer, and so are relevant to the duel of 1370. Although these portrayals are virtually all armoured horsemen, Talhoffer, *Goliath* (1510-20) and Mair all show basically the same horse-fighting whether unarmoured, partially or fully armoured. With bigger forces at play while fencing upon such massive beasts, distinctions of *blosz* and *harnisch* get somewhat hybridised. Although simpler than fencing on foot, the fencing on horse certainly involved more skill and complexity than cavalry fighting of mass armies, as Liechtenauer's *roszfechten* was really a specialised variety of his *kampffechten* (duel-fighting).

Dueling upon Foot

The scenes below are not meant to show precisely what happened during Theobald versus Seitz – only to confirm the nature of that duel can be found in other scenes of duel from fight-books. Although from 1459, we can see these combatants are similarly unarmoured and wearing their linens, and similarly wielding spears, swords and daggers – so not all that different from the 1370-standards. However out-of-scale, we may notice that barriers do surround the combatants, which again is certainly something told in that account of the 1370-duel.



Unarmoured dueling with spear versus sword – Talhoffer (1459)



Unarmoured dueling with spear versus sword & dagger – Talhoffer (1459)

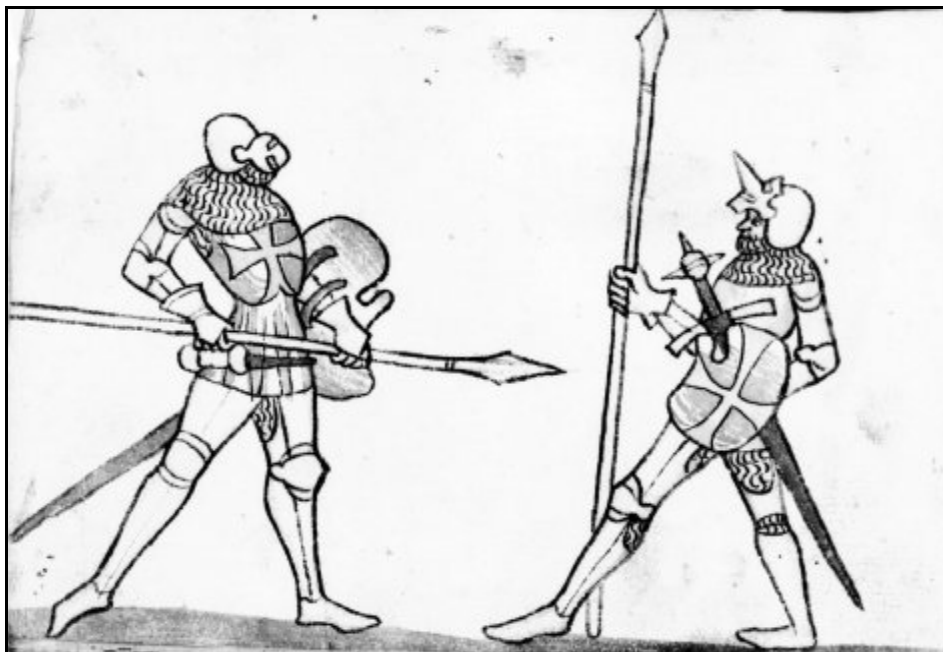
Dueling upon Foot

Mair actually provided a couple images for his account, but since those have many middle 16th Century conventions (e.g. neoclassical umbos, etc.), it seemed a nice idea instead to present some relevant imagery from other fight-books closer in period to 1370 – so here goes:



Unarmoured sword & buckler dueling from *Gladiatoria* (1435-40)

This scene shows weaponry and clothing like what seems to have been utilised at the duel of Theobald versus Seitz. So if the shields utilised by Theobald and Seitz in 1370 were not targes, then those were probably bucklers.



Armoured dueling upon foot from *Codex Wallerstein* (1380-89 & 1450s)

This is not exactly as Theobald versus Seitz, but they used the same basic three weapons of spear, sword & dagger. Yet do notice the targes – the design evolved circa 1350, fit for both horse and foot – thus likely for the 1370-duel. Also, such composite harness is like what the peers of the 1370-combatants often wore for other coeval duels.

The Endgame
Sword versus Spear – *De Arte Athletica I* (1542)
***Cod. Guelf. 78.2 2°* (15th Century)**



This final vignette is actually from Volume I. It does, however, happen to illustrate a scene similar to the final phase of the described duel of Theobald versus Seitz in Volume II, albeit portrayed in middle 16th Century conventions. It is the endgame when the knights unhorse and take up previously dropped weapons, so that one wields lance while the other wields sword. Despite his reach-advantage, the lance-wielding Theobald then nonetheless lost to the skillful sword-wielding Seitz, as we are told by Mair.



Perhaps Altheimer's decisive thrust to groin looked something like this – from *Cod. Guelf. 78.2 2°*.

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Duel of Theobald versus Seitz

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