

The ‘Great Charter’ of the University of Oxford (3 March 1636), excerpt

Source

OUA, Long Box 19

Notes

Transcribed in Strickland Gibson, *The Great Charter of Charles I to the University of Oxford* (Oxford: Oxford University Press, 1932); an unpublished translation is available in the OUP archives.

The Gibson transcription has been given below. A translation has been provided by Simon Neal and revised by Andrew Hegarty, with advice from Robin Darwall-Smith and William Poole.

Transcription

Et cum pene a tempore quo primum Ars Typographica sive Impressoria in hoc Regnum nostrum Anglie applicuit Typographi sive librorum Impressores, tam de Alienigenis quam de Indigenis, in Vniversitate nostra Oxon. extiterint, qui cuiuscunque generis libros auctoritate privilegiorum eiusdem Vniversitatis per Progenitores nostros concessorum ante quamcunque Chartam, Inhibicionem, restriccionem aut limitacionem super libris imprimendis inde in contrarium factam, liberam imprimendi ac impressos libros distrahendi ac publice per totum Regnum nostrum vendicioni exponendi potestatem habuerunt, ipso Cancellario sive eius Commissario (ex eo quod omnis et omnimoda cognicio sive Iurisdictio de quarumcunque rerum mobilium contractibus intra eandem Vniversitatem eiusve precinctum, vbi altera pars est Scholaris aut persona privilegiata, ad eundem Cancellarium eiusve locumtenentem pertinere dignoscitur) licencias et privilegia ad huiusmodi libros imprimendos conferente, variosque inde libros, opuscula et tractatus ibidem sub Prelo Typographico in lucem emiserunt, sicut ex ipsis impressis monumentis, que eciamnum hodie extant, manifeste constat; que quidem Privilegia postea per Actum Parlamenti de Anno regni Domine Elizabethe, nuper Anglie Regine, Predecessoris nostri, decimo tercio predictis Cancellario, Magistris et Scholaribus et Successoribus suis sub nomine Cancellarii, Magistrorum et Scholarium Vniversitatis Oxoniensis confirmata, et ad omnem iuris

intencionem, constructionem et effectum valida et in lege sufficiencia declarata et iudicata fuere, sicut per eundem Actum plenius liquet; a quo tempore (licet in decreto Camere Stellate die Mensis Iunii vicesimo tercio de Anno regni eiusdem Domine Elizabethae vicesimo octavo, vbi de vno prelo Typographico in Vniversitate Oxon. allocando et approbando ad libros ibidem imprimendos agitur, nulla eorundem librorum restrictio aut limitatio occurrat, nisi generalis tantum Provisio pro observacione quarundam literarum Patencium et Commissionum sub magno Anglie Sigillo necnon quarundam ordinacionum pro meliore gubernacione et regimine Stacionariorum in Civitate London. sub certis penis et penalitatibus annexis) exortis quibusdam super exercitio eiusdem Artis impressorie inter Magistrum, Custodes sive Guardianos et Communitatem Artis sive Misterii Stacionariorum Civitatis nostre London. et alios questionibus et Controversiis, nonnulli codices publice approbati ac recepti, tam per literas Patentes Domine Elizabethae, nuper Anglie Regine, Predecessoris nostri quam etiam Domini Iacobi, nuper Regis Anglie beate memorie, patris nostri precharissimi, et nostras, Typographorum sive Magistri, Custodum sive Guardianorum et Communitatis Artis sive Misterii Stacionariorum Civitatis nostre London. et Successorum suorum necnon cuiuscunque alterius persone vel quarumcunque aliarum personarum ac nominatim Roberti Barker et filii sui Christoferi, Iohannis Bill et Bonhami Norton ac diversorum aliorum et Assignatorum suorum impressionibus peculiariter reservati fuerint, et sub certis Forisfactoris et penalitatibus aliisque quibuscunque aliis huius regni nostri Anglie Typographis, librorum Impressoribus et Stacionariis huiusmodi librorum Impressionibus ac vendicionibus omnino interdictum fuerit, sicut ex ipsis literis Patentibus aliisque Decretis et edictis inde latis et rogatis plenius constat; Cumque etiam nos per literas nostras Patentes gerentes datam apud Westmonasterium duodecimo die Novembris Anno regni nostri octavo Ac postmodum per alias literas nostras Patentes gerentes datam apud Westmonasterium decimo / tercio die Marcii eodem Anno regni nostri cum adiectione novorum super libris imprimendis privilegiorum confirmatorum, pro nobis, heredibus et Successoribus nostris, Cancellario, Magistris, et Scholaribus eiusdem Vniversitatis Oxon. et Successoribus suis concessum sit, quod ipsi imperpetuum tres Typographos, librorum

Impressores et Bibliopolas, tam alienigenas quam indigenas, in dicta Vniuersitate commorantes haberent, vel habere poterint, quorum singuli, sub forma in dictis literis nostris Patentibus descripta, omnimodos libros sive Codices publice non prohibitos imprimerent, excuderent, typis demandarent, seu imprimere, excudere, typis demandare, eosdemque publice vendere ac distrahere poterint licite et impune, Aliquo Statuto, Actu, Ordinacione, Provisione, Proclamacione sive Restrictione in contrarium inde antehac habitis, factis, editis, ordinatis sive provisus aut aliqua alia re, causa vel materia quacunq[ue] in aliquo non obstante, prout in eisdem literis nostris Patentibus inde confectis plenius liquet; Iamque ex parte dilectorum nobis Cancellarii, Magistrorum et Scholarium dicte Vniuersitatis nobis innotuerit, quod, ex eo scilicet quod Stacionarii Civitatis nostre London., pretendentes omnes et quoscunq[ue] libros per predictorum Predecessorum et Progenitorum nostrorum Chartas ac nostras suis impressionibus (vt preferitur) sic reservatos, libros publice prohibitos esse ac sub penalitatibus et forisfacturis illis que in illorum Chartis continentur, comprehendendos esse contendant, Typographi sive Impressores Vniuersitatis nostre predicte earundem penalitatum metu deterrentur quominus ipsi, iuxta Chartae nostrae exigenciam Cancellario, Magistris et Scholaribus eiusdem Vniuersitatis et Successoribus suis nuper inde confecte, omnimodos libros publice non prohibitos, in eadem Vniuersitate eiusque precinctu edere aut imprimere aut impressos vendicioni publice exponere aut eosdem distrahere licite possint et impune; Nos, pro ea qua sumus in bonas literas et literatos propensione plane Regia ac volentes predicte Vniuersitatis privilegia tam vetera quam nova (quantum in nobis est) ampliare, omnesque huiusmodi ambiguitates que inde exoriri poterint, amovere penitus ac delere, predictas literas nostras Patentes tam de Concessione quam de Confirmatione premissorum sic per nos (vt premittitur) factas, omniaque et singula in eisdem contenta predictis Cancellario, Magistris et Scholaribus Vniuersitatis predicte Oxon. et Successoribus suis sic concessa, ratas habentes et gratas, De gracia nostra speciali ac ex certa sciencia et mero motu nostris, eas pro nobis, heredibus et Successoribus nostris, eisdem Cancellario, Magistris et Scholaribus et Successoribus suis ratificamus, stabilimus et confirmamus imperpetuum per presentes Eisdemque Cancellario,

Magistris et Scholaribus et Successoribus suis plenam potestatem atque auctoritatem Ordinationes, leges et Statuta de tempore in tempus, cum penis eisdem annexis, pro bono et sano regimine eorundem Impressorum sive Bibliopolarum, Necnon Serviencium ac Ministrorum suorum, faciendi ac decernendi per presentes pro nobis, heredibus et Successoribus nostris damus et concedimus imperpetuum. Et vltterius de eadem gracia nostra speciali ac ex certa sciencia et mero motu nostris pro nobis, heredibus et Successoribus nostris interpretamur, exponimus, et declaramus per presentes, illos scilicet libros, cuiuscunque generis aut speciei fuerint, Typographorum sive Stacionariorum Civitatis nostre London. et Successorum suorum aut aliorum quorumcunque respective impressionibus per literas predictas (vt premittitur) et in eisdem sic peculiariter reservatos, libros publice aut publica vel nostri vel Regni nostri auctoritate prohibitos non esse, nec pro libris publice prohibitis habendos esse, cum huiusmodi sint qui potius ad publicum omnium Subditorum nostrorum vsum communiter approbentur et quos ne ipsi quidem Civitatis nostre London. Stacionarii vel quicunque alii (si publice prohibiti essent) omnino imprimere et vendicioni exponere de iure poterint; Ac proinde Typographis, sive Impressoribus, Stacionariis aut Bibliopolis Vniversitatis nostre Oxon. antedictae, qui nunc sunt et qui pro tempore erunt, sub forma predicta in predictis literis nostris Patentibus assignatis vel assignandis, bene licere eosdem ipsos et singulos cuiuscunque generis libros qui in Stacionariorum Civitatis nostre London. et Successorum suorum aut quorumcunque aliorum Typographorum Chartis et Assignatorum suorum respective quovismodo continentur, illorumque et Successorum suorum vel Assignatorum impressionibus sic peculiariter reservantur, necnon alios quoscunque libros publice (vt predictum est) non prohibitos, de tempore in tempus intra eandem Vniversitatem eiusque precinctum secundum formam in dictis literis nostris Patentibus inde descriptam, tam idiomatis vernaculi quam peregrini sive etiam ex vtroque mixti, ac tam in voluminibus magnis quam parvis, licite et impune imprimere seu imprimi facere, eosdemque sic impressos, per quaterniones vel alias Consutos, Contextos et ligatos, tam infra eandem Vniversitatem eiusque precinctum quam alibi, per totum Regnum et Dominium nostrum publice vendicioni exponere possint [*sic*] per

se vel per suos inperpetuum, Ita quod nulle litere Patentis sive ipsius Domine Elizabethae, nuper Anglie Regine, Predecessoris nostri sive Domini Iacobi, Regis Anglie, Patris nostri precharissimi sive etiam nostre / cuicumque persone vel personis, Corpori politico aut corporato sive Corporibus politicis seu corporatis quibuscunque respective, antehac concessae aut imposterum concedende, deinceps construantur aut impedimentum aliquod esse censeantur quominus Typographi sive Bibliopole Vniversitatis nostre Oxon. qui iam sunt et qui pro tempore erunt, sub forma in dictis nostris literis Patentibus assignati vel assignandi, predicto privilegio atque Immunitate omnimodos huiusmodi libros publice non prohibitos in forma predicta imprimendi, consuendi, contexendi et ligandi, ac eosdem in forma predicta vendicioni publice exponendi ac distrahendi, libere gaudeant et vtantur imperpetuum; Idque absque vllis penis, damnis, penalitatibus aut forisfactoris quibuscunque erga nos, heredes et Successores nostros aut erga quoscunque alios quocunque nomine aut quibuscunque nominibus inde incurrendis, Quibuscunque literis Patentibus, explanacione, interpretacione aut earundum Confirmacione, vel etiam quacunque Prohibicione, Restrictione, constitutione, Ordinacione, clausula vel Articulo, in quibuscunque literis Patentibus, Commissionibus, Decretis, Sentenciis, Proclamacionibus, Actibus Parlamenti contentis aut quacunque alia re antehac concessis vel confectis, concedendis vel conficiendis in contrarium inde in aliquo non obstante. Quineciam, omnibus et singulis Officiariis, Ministris ac Subditis nostris quibuscunque tam infra libertates quam extra (quorum intererit) et quatenus Regio favori nostro deferre et gravem nostram indignacionem evitare voluerint, firmiter precipimus et mandamus per presentes, quod ab huiusmodi libro vel libris quibuscunque per aliquem Typographum sive Bibliopolam Vniversitatis nostre Oxon., Deputatos sive assignatos suos, sic (vt prefertur) impressis vel imprimendis ac vendicioni in forma predicta expositis vel exponendis, capiendis, seiziendis aut attachiendis omnino et totaliter supersedeant. Et, si aliquem librum vel libros pretextu aut colore cuiuscunque licencie, libertatis, potestatis aut authoritatis sibi in ea parte preconcesse seiziverint aut attachiaverint, quod tunc ipsi et eorum quilibet ad requisicionem et demandam ex parte ipsius Typographi sive

Typographorum, Bibliopole vel Bibliopolarum Vniversitatis nostre Oxon. pro tempore existencium aut ex parte eorundem Deputati aut Deputatorum inde factas vel faciendas, eundem librum sive eosdem libros sic seisitos aut attachiatos sub quorumcunque Custodia fuerint, eidem Typographo sive Typographis, Bibliopole vel Bibliopolis Vniversitatis nostre Oxon. vel eius vel eorundem Deputato vel Deputatis restituant statim ac redeliberent ac satisfaccionem debite inde faciant, quacunq̄ue licencia, libertate, potestate aut autoritate per quascunq̄ue literas Patentes, Commissiones, Decretum, Sentenciam, Constitucionem, Proclamacionem, Provisionem, Actum Parlamenti preconcessa, aut quacunq̄ue alia re in contrarium non obstante. Ac postremo volumus et concedimus quod he litere nostre Patentes et quilibet earundem Articulus, res vel Clausula in eisdem contenta, quoad omnia proposita atq̄ue Intenciones predicta, perquam ample, liberaliter, favorabiliter, et benefice ex parte eorundem Bibliopolarum Vniversitatis nostre Oxon., Ministrorum, Deputatorum et Assignatorum suorum intelligantur semper, construantur et adiudicentur, quacunq̄ue mala recitacione vel non recitacione quarumcunque aliarum literarum nostrarum Patencium aut Donacionum per nos aut aliquem Progenitorum aut Predecessorum nostrorum omnium vel aliquarum aliarum potestatum, privilegiorum et autoritatum vel quorumcunque aliorum premissorum inde concessorum vel earundem aliqua antehac facta ac remanente de Recordo vel non remanente non obstante, ac quibuscunq̄ue aliis defectibus aut imperfeccionibus in presentibus literis Patentibus non obstantibus.

Translation

And whereas almost from the time when the art of typography or printing first produced typographers or printers of books, aliens and denizens alike, in this our Kingdom of England, there were those in our University of Oxford who had free power to print books of whatever kind and to distribute them on their being printed as well as to place them on sale throughout our realm by authority of the privileges of the same University granted by our progenitors prior to any charter, inhibition, restriction, or limitation concerning the printing of books thereafter made to the contrary, with (given that each and every mode of cognizance or jurisdiction in regard of contracts made concerning moveable goods of

whatever kind within the same University or its precinct, where either party is a scholar or privileged person, is known to pertain to the same Chancellor or his deputy) the Chancellor himself or his Commissary granting licences and privileges to print such books, whereupon they produced various books, little works, and treatises in the same place by the printing press, as is manifestly established by the very printed monuments extant even today; which same privileges afterwards by Act of Parliament of the thirteenth year of the reign of the Lady Elizabeth, late Queen of England, our Predecessor, were confirmed to the aforesaid Chancellor, Masters, and Scholars and their successors under the title of the Chancellor, Masters, and Scholars of the University of Oxford, and were declared and adjudged valid and sufficient in law to every intent, construction, and effect, as is made more fully apparent by the same Act; after which time (notwithstanding that in a decree of Star Chamber of the twenty-third day of the month of June in the twenty-eighth year of the reign of the same Lady Elizabeth, when in treating of permission and approval for the placing of one printing press in the University of Oxford, for the printing of books there, no restriction or limitation on the same books occurred except only a general provision for observation of certain letters patent and commissions under the Great Seal of England and also of certain ordinances for the better government and regulation of the Stationers in the City of London, under determined pains and penalties) when some questions and controversies arose concerning the practice of the same printing art between the Master, Wardens or Guardians, and Commonalty of the art or mystery of Stationers of our City of London and others, some books were publicly approved and received, and specifically reserved by letters patent both of the Lady Elizabeth, late Queen of England, our Predecessor, and also of the Lord James, late King of England of blessed memory, our most dear father, and of our own, specifically for printing by the printers or the Master, Wardens or Guardians, and Commonalty of the art or mystery of Stationers of our City of London and their successors, and whatever other person or persons and namely Robert Barker and Christopher his son, John Bill and Bonham Norton, and divers others and their assigns, and under specific forfeitures and other penalties it was utterly forbidden to other typographers, printers of books, and stationers of

this our Kingdom of England to print and sell books of this kind, as is more fully set out by the same letters patent and other decrees and edicts thereafter issued and requested; and whereas also by our letters patent, bearing date at Westminster on the twelfth day of November in the eighth year of our reign, and afterwards by our other letters patent, bearing date at Westminster on the thirteenth day of March in the same year of our reign with the addition of new privileges confirmed for the printing of books, it was granted on behalf of us, our heirs, and successors to the Chancellor, Masters, and Scholars of the same University of Oxford, and their successors, that they might have or be able to have forever three typographers, printers of books, and booksellers, whether aliens or denizens, living in the said University, every one of whom, in the manner described in our said letters patent, might print, compose, and put in type all manner of books or codices not publicly prohibited, or have power lawfully and without punishment to print, compose, and put them in type, as well as to be able publicly to sell and dispose of the same, notwithstanding any statute, act, ordinance, provision, proclamation, or restriction to the contrary hitherto existing, made, issued, ordained, provided, or any other thing, cause, or matter whatever in any respect, as is more fully set out in our same letters patent then made; and now it has been made known to us on behalf of our beloved Chancellor, Masters, and Scholars of the said University that, because the Stationers of our City of London contend that all books whatsoever thus reserved to their printing (as aforesaid) by the charters of our aforesaid Predecessors and Progenitors and by our own are books publicly prohibited under the penalties and forfeitures contained in their charters, the typographers and printers of our aforesaid University are held back by fear of the same penalties from being able to issue or print in the same University or its precinct, according to the requirement of our Charter lately made to the Chancellor, Masters, and Scholars of the same University and their successors, all kinds of books not publicly prohibited, or from being able publicly to place their printings on sale or to dispose of the same licitly and with impunity; We, on account of the royal leaning We have to good letters and to learned men, and wishing to increase the aforesaid University's privileges both old and new (as far as is in our power), and utterly to remove and delete all such ambiguities as

may thereupon arise, having approved our aforesaid letters patent in regard both of the grant and the confirmation of the aforesaid things so made by us (as aforesaid), and all and singular things contained in the same so granted to the aforesaid Chancellor, Masters, and Scholars of the aforesaid University of Oxford and their successors, of our special favour and certain knowledge and free will, ratify, establish, and confirm forever by these presents on behalf of Us, our heirs, and successors, to the same Chancellor, Masters, and Scholars and their successors, full power and authority to make and decree ordinances, laws, and statutes from time to time, with penalties annexed to the same, for the good and healthy regulation of the same printers or booksellers, and also of their servants and ministers. And further, out of our same special favour and certain knowledge and free will, on behalf of us, our heirs and successors, we interpret, expound, and declare by these presents that those books, namely those, of whatsoever kind or form they might be, which have been thus especially reserved by the aforesaid letters (as aforesaid) to the printing of the printers or Stationers of our City of London and their successors or to any others whatsoever respectively, are not books that are prohibited publicly or by the public authority of us or our realm, nor are they to be regarded as books publicly prohibited and such that neither the same Stationers of our City of London nor anyone else (if they are publicly prohibited) are able to print in any way or lawfully place on sale, since they are of such a kind as are commonly approved rather for public use of all of our subjects.

Wherefore it will be quite lawful for the typographers, printers, stationers, or booksellers of our aforesaid University of Oxford, those now assigned or hereafter to be assigned for the time being under the aforesaid form in our aforesaid letters patent, lawfully and without punishment to print or cause to be printed from time to time these same books and all books of whatever kind such as are contained in any way whatever in the charters of the Stationers of our City of London and their successors and those of any other printers whatsoever and their assigns, such as are reserved specifically for printing by them, their successors, and assigns, and also all other books whatever such as are not publicly prohibited (as aforesaid), within the same University and its precincts in the manner set out in our said letters patent,

whether in the vernacular or in foreign tongues or even a mixture of the two, in both large and small volumes, and for them publicly to place on sale the same as sewn, gathered, and bound in quires or otherwise, both within the same University and its precincts and elsewhere, throughout the whole of our kingdom and dominion, whether directly by themselves or by their agents for ever.

And this in such a way that no letters patent either of the same Lady Elizabeth, late Queen of England, our Predecessor, or of the Lord James, King of England, our most beloved Father, or of Ourselves, hitherto granted or henceforward to be granted to any person or persons whatever, or respectively to any body or bodies politic or corporate whatever, be hereafter construed or regarded as any impediment to such typographers or booksellers of our University of Oxford as are now or may hereafter be for the time being assigned in the form established in our said letters patent enjoying freely and using forever the aforesaid privilege and immunity of printing, sewing, gathering, and binding all manner of books not publicly prohibited in this way, and placing them publicly on sale and distributing them in the aforesaid manner; and this without any punishments, fines, penalties, or forfeitures whatsoever to be incurred under any name or names in respect of Us, our heirs and successors, or any others whatever; all letters patent, and every explanation, interpretation, or confirmation of the same, every prohibition, restriction, constitution, ordinance, clause, or article contained in any letters patent, commissions, decrees, judgements, proclamations, or Acts of Parliament, in whatever manner hitherto granted or executed or henceforward to be granted or executed to the contrary notwithstanding.

Wherefore, indeed, by these presents we firmly order and command all and singular whatsoever our officers, ministers, and subjects (whom it may concern) within and without liberties, as they wish to obtain our royal favour and to escape our grave displeasure, utterly and wholly to refrain from taking, seizing, or attaching any book or books of this kind whatever printed or to be printed (as aforesaid), placed on sale or to be placed on sale in the aforesaid manner, by any typographer or bookseller of our University of Oxford, their deputies, or assigns. And should they seize or attach any book or books under the pretext of

colour of any licence, liberty, power, or authority whatever formerly granted them in this matter, they and each of them are then, following request and demand made or to be made on the part of the same typographer or typographers, bookseller, or booksellers, for the time being of our University of Oxford, or on that of their deputy or deputies, immediately to restore and deliver up the same book or books, in whosoever's keeping it or they may be, to the same typographer or typographers, bookseller, or booksellers of our University of Oxford, or his or their deputy or deputies, and to make due satisfaction for the same, any licence, liberty, power, or authority hitherto granted or in any other way to the contrary by any letters patent, commissions, decree, judgement, constitution, proclamation, provision, or Act of Parliament, notwithstanding.

And finally we wish and grant that these our letters patent and every article, matter, and clause contained in the same, in regard of all the aforesaid purposes and intentions, are always to be understood, construed, and adjudicated in the most ample, generous, favourable, and advantageous sense on behalf of the same booksellers of our University of Oxford, their ministers, deputies, and assigns, any bad recital or non-recital whatever of any of our other letters patent or grants whatever conceded by Us or any of our Progenitors or Predecessors or by any other powers, privileges, and authorities or other premises whatsoever, or anything else previously done and remaining as of record or not remaining notwithstanding, and any other defects or imperfections whatsoever in these present letters patent notwithstanding.