

CHARTER OF THE UNIVERSITY OF HEIDELBERG

1386

We, Rupert the elder, by the grace of God, Count Palatine of the Rhine, Elector of the Holy Empire, and Duke of Bavaria—lest We seem to abuse the privilege conceded to Us by the Apostolic See of founding a place of study at Heidelberg like to that at Paris, and lest, for this reason, being subjected to the divine judgment, We should merit to be deprived of the privilege granted—do decree with provident counsel, which decree is to be observed there unto all time, that the University of Heidelberg shall be ruled, disposed, and regulated according to the modes and matters accustomed to be observed in the university of Paris.

Also that, as a handmaid of the Parisian institution—a worthy one, let us hope—the latter's steps shall be imitated in every way possible; so that, namely, there shall be four faculties in it: the first, of sacred theology or divinity; the second, of canon and civil law, which, by reason of their similarity, We think best to comprise under one faculty; the third, of medicine; the fourth, of liberal arts—of the threefold philosophy; namely, primal, natural, and moral, three mutually-subservient daughters.

We wish this institution to be divided and marked out into four nations, as it is at Paris; and that all these faculties shall make one university, and that to it the individual students, in whichever of the said faculties they are, shall indivisibly belong like lawful sons of one mother.

Likewise that that university shall be governed by one rector, and that the different masters and teachers, before they are admitted to the common pursuits of Our institution, shall swear to observe the statutes, laws, privileges, liberties, and franchises of the same, and not reveal its secrets, to whatever grade they may rise. Also that they will uphold the honor of the rector and the rectorship of Our university, and will obey the rector in all things lawful and honest, whatever be the grade to which they may afterwards happen to be promoted. Moreover, that the different masters and bachelors shall read their lectures and exercise their scholastic functions and go about in caps and gowns of a uniform and similar nature, according as that has been observed at Paris up to this time in the different faculties. And We will that if any faculty, nation, or person shall oppose the aforesaid regulations, or pertinaciously refuse to obey them or any one of them—which God forbid—from that time forward that same faculty, nation, or person, if it do not desist upon being warned shall be deprived of all connection with our aforesaid institution, and shall not have the benefit of Our defense or protection.

Moreover, We will and ordain that as the university as a whole may do for those assembled here and subject to it, so each faculty, nation, or province of it may found lawful statutes and ones suitable to its needs, provided that through them or any one of them no prejudice is done to the above regulations and to Our institution, and that no kind of impediment arise from them. And We will that when the separate bodies shall have passed the statutes for their own observance, they may make them perpetually binding on those subject to them and on their successors.

And as in the University of Paris, the different servants of the institution have the benefit of the different privileges which its masters and scholars enjoy, so in starting Our institution in Heidelberg, We grant, with even greater liberality, through these presents that all the servants, viz., its pedells,¹ librarians, lower officials, preparers of parchment, scribes, illuminators, and others who serve it, may each and all, without fraud, enjoy in it the same privileges, franchises, immunities, and liberties with which its masters or scholars are now or shall hereafter be endowed.

Lest in the new community of the city of Heidelberg, their faults being un-punished, there be an incentive to the scholars of doing wrong, We ordain with provident counsel by these presents that the Bishop of Worms, as judge ordinary of the clerks of Our institution, shall have and possess, now and hereafter while Our institution shall last, prisons and an office in Our town of Heidelberg for the detention of criminal clerks. These things We

¹ Pedells served as notaries and policed campuses.

have seen fit to grant to him and his successors, adding these conditions: that he shall permit no clerk to be arrested unless for a mis-demeanor; that he shall restore anyone detained for such fault or for any light offence to his master or to the rector if he asks for him, a promise having been given that the culprit will appear in court and that the rector or master will answer for him if the injured parties should go to law about the matter. Furthermore, that, on being requested, he will restore a clerk arrested for a crime on slight evidence upon receiving a sufficient pledge-sponsors if the prisoner can obtain them, otherwise an oath if he cannot obtain sponsors-to the effect that he will answer in court the charges against him; and in all these things there shall be no pecuniary exactions, except that the clerk shall give satisfaction, reasonably and according to the rule of the aforementioned town, for the expenses which he incurred while in prison. And that he will detain honestly and without serious injury a criminal clerk thus arrested for a crime where the suspicion is grave and strong until the truth can be found out concerning the deed of which he is suspected. And he shall not for any cause, moreover, take away any clerk from Our aforesaid town, or permit him to be taken away, unless the proper observances have been followed, and he has been condemned by judicial sentence to perpetual imprisonment for a crime.

We command Our advocate and bailiff and their servants in Our aforesaid town, under pain of losing their office and Our favor, not to put a detaining hand on any master or scholar of Our said institution, nor to arrest him nor allow him to be arrested, unless the deed be such a one that that master or scholar ought rightly to be detained. He shall be restored to his rector or master if he is held for a slight cause, provided he will swear and promise to appear in court concerning the matter; and We decree that a slight fault is one for which a layman, if he had committed it, ought to have been condemned to a light pecuniary fine. Likewise, if the master or scholar detained be found gravely or strongly suspected of the crime, We command that he be handed over by Our officials to the Bishop or to his representative in Our said town, to be kept in custody.

By the tenor of these presents We grant to each and all tile masters and scholars that, when they come to said institution, while they remain there, and also when they return from it to their homes, they may freely carry with them both coming and going, throughout all the lands subject to Us, all their things which they need while pursuing their studies, and all the goods necessary for their support, without any duty, levy, imposts, tailles, gabelles, or other exactions whatever. And We wish them and each one of them to be free from all the aforesaid imposts when purchasing corn, wines, meat, fish, clothes, and all things necessary for their living and for their rank. And We decree that the scholars from their stock in hand of provisions, if there remain over one or two wagon-loads of wine without their having practiced deception, may after the feast of Easter of that year sell it *en gros* without paying impost. We grant to them, moreover, that each day the scholars, of themselves or through their servants, may be allowed to buy in the town of Heidelberg, at the accustomed hour, freely and without impediment or hurtful delay, any eatables or other necessaries of life.

Lest the masters and scholars of Our institution of Heidelberg may be oppressed by the citizens, avarice inducing them, through the extortionate price of lodgings, We have seen fit to decree that henceforth each year, after Christmas, one expert from the University on the part of the scholars and one prudent, pious, and circumspect citizen on the part of the citizens shall be deputed to fix on the price for the students' lodgings. Moreover, We will and decree that the different masters and scholars shall, through Our bailiff, Our judge, and the officials subject to Us, be defended and maintained in the quiet possession of the lodgings given to them free or of those for which they pay rent. Moreover, by the tenor of these presents, We grant to the rector and the University, or to those deputed by them, entire and total jurisdiction concerning the paying of rents for the lodgings occupied by the students, concerning the making and buying of codices, and the borrowing of money for other purposes by the scholars of Our institution; also concerning the payment of assess meets, together with everything that arises from, depends on and is connected with these.

In addition, We command Our officials that, when the rector requires Our aid and assistance for carrying out his sentences against scholars who try to rebel, they shall assist Our clients and servants in this

matter; first, however, obtaining lawful permission to proceed against clerks from the Lord Bishop of Worms, or from one deputed by him for this purpose.

Ernest F. Henderson, *Select Historical Documents of the Middle Ages* (London: George Bell and Sons, 1896):262–266.