

Hincmar's *About the Villa of Neuilly*, 876

Edition: H. Mordek, 'Ein exemplarischer Rechtsstreit: Hincmar von Reims und das Landgut Neuilly-Saint-Front', *Zeitschrift der Savigny Stiftung für Rechtsgeschichte* 83 (1997), 279-306, based on Paris BNF lat. 10758, pp. 281-85. The text is followed in the manuscript by a selection of relevant capitularies, not translated here.

Draft translation by Charles West Sept 2018

About the villa of Neuilly

1. When King Pippin died on the 8th Kalends of October in the monastery of St-Denis [in 768], his sons Carloman and Charles [Charlemagne] divided the paternal kingdom between them, according to the disposition of their father and the advice of the magnates of the kingdom. They were raised to kingship on the 7 Ides of October, Carloman at Soissons and Charles at Noyons, as is written in the annals of the kings which we have.

2. In the fourth year of his reign, Carloman was sickened by illness, from which he died at Samoussy [771]. Before his death, in the time of archbishop Tilpin, he gave the villa of Neuilly through a royal charter of his authority (which we have) to the Reims church of holy Mary and the basilica of Saint Remi in which he was buried, along with all its appurtenances, for the remedy of his soul and for a burial place. After his death, Charles his brother confirmed that gift in a charter of his authority which we have.

3. After archbishop Tilpin died [in 794], 23 years after Carloman had given the villa of Neuilly to the church of Reims, the lord king Charles held the Reims episcopate in his demesne (*dominicatum*), and he gave the villa of Neuilly in benefice to Anscher the Saxon. Anscher paid nones and tithes to the church of Reims from that villa up until his death. And after both Charles and Anscher died, the church of Reims still had the investiture of this villa, for 37 years after Carloman had given it in its entirety to the church.

4. After the death of Charles and when Anscher was dead, the lord emperor Louis gave that villa of Neuilly to Donatus in benefice. With the intervention of Beggo, this Donatus acquired through trickery as if from the fisc five *colonicae* [holdings] from that villa in ownership, through a charter of the lord emperor Louis. When Lothar, the son of the lord emperor Louis, came to Chalon [in 834] and conquered it, Donatus defected from the emperor at the villa on the Marne called *Pomarius*, and lying to him, fled to Lothar. And when the emperor came in hostile fashion to the villa called Chouzy, Lothar came to him with his men under constraint, and he and they swore the oath to him that the emperor demanded. Among them Donatus, proven to be disloyal, swore the oath required by the emperor, and the emperor took the county of Melun and the villa of Neuilly with its appurtenances from him, and gave it in benefice to Hatto, who had been the doorkeeper of Emperor Charles. While Louis was alive, Donatus neither got the county back nor earned any promise about the property.

After the death of the lord emperor Louis, and after his kingdom was divided between the three brothers and peace was made between them, and after Hatto died, Charles gave Neuilly to Donatus in benefice. After time passed, Donatus commended his son Gozelin to King Charles. Charles gave him the villa of Neuilly with its appendages. Then Landrada, the wife of Donatus, and their sons defected with others from Charles when he went to besiege the Vikings who were camped on the island of Oissel [in 858]. It was judged by the Franks that their *honores* and properties should be removed and given to the fisc. So Landrada and her sons afterwards obtained no charter from King Charles. In the 20th year of his reign, Charles gave the fiscal villa from these properties to the monastery of Orbais in a charter that we possess.

5. In the 32nd year of his reign [871], the glorious lord King Charles came to the basilica of Saint Remi, where I showed him the burial site of King Carloman and the charters of Carloman and Charlemagne his grandfather about the villa of Neuilly, and the authority of the holy canons: how the Holy Spirit damns in judgement those who keep back the alms of the dead, and delay from giving them to churches, and who are judged infidels to be cast out from the church, as murderers of the poor and unbelievers in the judgement of God. And he restored to the church of Reims, with a charter of his authority (which we have), the villa with all its pertinences, which Bernaus held in benefice after his brother Rothaus.

6. Afterwards it came to his attention that some people held in ownership property and slaves of the villa by deception of both his father and of him – that is Landrada, the wife of the late Donatus, Gunthar and Hugo and Waltrude and her son Helengaud, and Robert and Boso. Charles sent his envoys to investigate. And after they had investigated and the truth had been discovered, just as Charles had been told, and since they did not come to explain themselves as they had been ordered (banniti), he ordered that the charters of Carloman and Charles and his own should be read out in the presence of his faithful men as part of the palace business in the general council at Douzy [874]. And after they were read, his faithful men, both counts and *vassi dominici*, whose names we have written down, and all the others who were present judged that if anyone held property or slaves of that villa of Neuilly, by whatever charter or by any other way, after the donation of Carloman, who gave it with all its appendages and in its entirety to the church of Reims, and after the confirmation of his brother Charlemagne; and if they could not show an exchange, how the property and slaves of that villa had been justly and reasonably exchanged, since he had obtained it not from the fisc by donation but from the church's property and slaves, then those properties and slaves which had been taken from the villa of Neuilly should be restored to that house of God, as is fully contained in the charter of restoration of that lord Charles, which we possess.

7. When lord Charles went to Rome [in 875] and lord Louis his brother came to Attigny, the sons of Donatus and Landrada, through some of our men, obtained from the lady queen Richildis and lord Louis, the son of the lord king Charles, that the villa of Neuilly with its appurtenances should be restored to them. They did not pay attention to how, as is written in the capitularies of the emperors, people taking royal property are judged to be infidels, and those taking church property are judged according to the ecclesiastical laws to be *sacrilegi*, as the holy pontiffs of the apostolic see showed with the bishops of the whole world, and they are counted amongst Ananias and Saphias, and compared to Judas the wretched traitor of the Lord. And they are treated as excommunicates by those who reign in heaven with God and gleam with earthly miracles, and are declared to be murderers of the poor, and even after their death are commanded to be anathematized by divinely inspired letters. And it is known what the laws judge about those who dare to repeat a matter that has been settled by judgement.

8. When lord Charles returned from Rome, he came to Reims, and when he heard these matters, he reacted badly and sent his envoys, who restored the villa according to the aforementioned charters to the church of Reims and to our advocate, as we have in a full written account.