

The Will of Eberhard and Gisela, c. 863

Draft translation by Charles West, December 2018

Edition: *Cartulaire de l'abbaye de Cysoing*, ed. I. de Coussemakers (Lille, 1884), no. 1, pp. 1-5
<https://archive.org/details/cartulairedelabb00cyso/page/n21>

MS: Archives de l'état de Mons, Cartulaire 12 (made in 1517)

Background reading: Christina la Rocca and Luigi Provero, 'The dead and their gifts. The will of Eberhard, count of Friuli, and his wife Gisela, daughter of Louis the Pious (863-864)', in F. Theuws and J. L. Nelson (eds), *Rituals of power. From late Antiquity to the early Middle Ages* (Leiden, 2000), p. 225-280.

Partial French translation (of the book section) in *Textes et documents d'histoire du Moyen Age II*, ed. Pierre Riché and George Tate (Paris, 1974), pp. 414-15.

This will was never executed in its entirety, because King Charles the Bald confiscated (all of?) Eberhard's northern lands not long before he died. Some of these lands Charles however returned to Gisela (Charles's own sister), who divided them between their sons and the monastery of Cysoing (near Lille) before her death after 874. Their son Berengar became king of Italy in 888.



An illustration of the kinds of treasures mentioned in the will: *The late 8th-c. 'Enger reliquary'*

TRANSLATION

I, Count Eberhard, with my wife Gisela, decided to establish how our children ought to share our property amongst themselves in ownership after our death, without any impediment or quarrelsome animosity, divided by us reasonably and in detail, along with the slaves [*mancipia*] and other items [*mobilia*] which belong to us.

We wish our first-born son Unroch to have whatever property we have in Lombardy and Alemannia, with all that pertains to that property, that is in Lombardy and Alemannia, except Balingen. The second, Berengar, we wish to have our estate at Annappes with all that pertains to it there, except Gruson, and our estate *Hildeina* in Hesbaye with all which adjoins to it, and whatever we have in the county of Condroz. The third Adalard we wish to have our estate at Cysoing, and Camphin with all that pertains to it, and *Grecinam* with all that I decided pertains to the church at Cysoing, on condition that he will maintain that church in that order in which I established it, and not allow anything to be taken from those things which I gave to it through himself or or through anyone else. And also our

estate Somain. Our fourth Rodolph we wish to have Vitry and Maistang, with all that pertains to those places, except the church at Vitry, which I decided pertains to our church at Cysoing with all that pertains to it. And we wish that he will have whatever we have in *Scelleburd* that Matfrid previously had, and all our properties that lie in the county of Toxandria.

We wish to carry out this division so that if Adalard and Rodolph have fewer holdings [*mansi*] than Berengar, they can equalise amongst themselves with Annapes, including the *mancipia* who belong there. [p. 2] We wish this division to be permanent amongst them, unless some king of the Lombards or the Franks or even of the Alemans – may it not happen, and we think it will not – takes the property divided by us from one of the brothers, by violence or without cause. Then we wish that they will share out the remainder amongst themselves equally.

About our daughters: we wish that Engeltrude will have *Ermen* and *Mareham*. We wish Judith to have Balingen, and our estate in the district of Moila which is called Heliwsheim. We wish Heilwich to have Ootegen and Luinhue and Vendegie, and one holding in Angreau.

We decree such a law about these properties that if one of them rises up against another in some contention against what we have decreed, or summons him to a public court, then the presumptor who has dared go against our will shall pay whoever he has calumniated with a thousand pounds of gold.

Of our moveables (*paramentum*), we wish our first-born Unroch to have the sword with the golden hilt and silver pommel, a dagger (*facilus*) of gold and gems, a belt with gold and gems, two spurs with gold and gems, a tunic embroidered with gold, a cloak (*mantellus*) embroidered with gold with a golden brooch; and we want him to have another sword, a water basin (*urceum*), a silver conch (*manile*), a golden drinking vessel (*ciphus*), two golden *scyphos*, a coat of mail (*brunia*), a helmet and a gauntlet (*manica*) to go with it, two leg-guards, and a silver mortar with a pestle. Of the moveables from our chapel, a pyx (*ciborium*) with a golden cross and a golden case, and a silver chalice with a paten, a golden crown with the Lord's wood, a golden cross with a crystal on a canopy, two chasubles, one prepared with gold, the other with silk (*celandum*), a dalmatic prepared with gold, three altar cloths prepared with gold, two phylacteries [relic containers] hanging from a cross, a Gospel prepared with gold, golden *sia*, two armbands prepared with gold, a missal prepared with silver and gold, a similar lectionary, a water basin (*urceus*), a silver *manile*, a silver thurible, a gold *pipa*, ivory tablets prepared with gold, a golden liturgical comb, a silver fan, an ivory *capsella*, two silver candelabras: all this we wish that our first-born son shall have.

Our second, Berengar, we wish to have two swords, one with a silver and golden hilt, a dagger of silver and gold, two belts with gold and gems, two golden spurs, a tunic prepared of gold, another golden dagger with gems, two *ciphos* of horn and silver with gold, two silver shields, two silver spoons (*coclearia*), a coat of mail (*brunia*), a helmet and a gauntlet (*manica*). From the moveables of our chapel, a silver altar, an ivory chalice with a golden paten, an ivory reliquary (*capsa*) prepared with gold, a phylactery of silver with gold, [p. 3] an ivory Gospel, a similar lectionary, a similar missal, a similar commentary, a similar antiphonary, a similar Smaragdus, a silver thurible, two chasubles, one multi-coloured, the other with silk, a varied dalmatic, a similar *serica*, a pallium for the altar, two tablets for singing, prepared in silver and gold. We wish Berengar to have all this.

Our third Adalard we wish to have two swords, one with a ivory and silver hilt, a similar dagger, an ivory and gold belt, another golden dagger, and two golden belts with gems, a drinking cup of marble prepared with silver and gold, a silver cup (*garalis*), a silver *scyphum*, two palliums, silver cups (*garales*) with two drinking vessels, a coat of mail (*brunia*) and a helmet with a *hasberga*, a gauntlet (*manica*) and two leg guards. From the moveables of our chapel, an altar of crystal and silver, a reliquary (*capsa*) of gold and silver, a glass chalice prepared with gold, a silver chalice with a paten, a gospel prepared with silver, a doubled chasuble, another chasuble with silk, a dalmatica, a *serica*, an altar cloth, a phylactery with the relics of St Remigius: all this we want Adalard to have.

Our fourth Rodolph we wish to have three swords, 100 mancuses, a belt, two silver drinking vessels (*garales*), three spoons, a coat of mail (*brunia*), two gauntlets. Of the moveables from our chapel, a crystal box with relics, a phylactery made of crystal and almandine garnet, a silver phylactery, a wooden chalice with gold and silver, a silver chalice with a paten, two chasubles, one altar cloth: all this we want Rodolph to have.

Our daughter Engeltrude we wish to have the silver plate and one pallium. Judith we want to have a silver plate, and one pallium. Heilwich we want to have a silver vessel, and a pallium. To all of these, so they do not seem to lack the blessing of our chapel, we give individual phylacteries made of gold.

We also wish to divide the books of our chapel amongst them. First of all we wish Unroch to have our double Psalter,¹ and our Bible, and the book of St Augustine *On the Words of God*, and our book on the Laws of the Franks, Ripuarians, Lombards, Alemans, Bavarians,² and the book *On Military Matters*,³ and the book *On Various Sermons* which begins “About Elias and Achab”, and the book *On the use of penance*, and the book *On the Constitutions of rulers and edicts of emperors*, and the *Synonyms* of Isidore, and the book *On the Four Virtues*, and the Gospel, and the Book of the Bestiary and the Cosmography of Aethicus Ister.

Berengar we wish to have the other Psalter, written in gold, and the book of St Augustine *On the City of God*, and *On the Words of the Lord*, and the *Deeds of the Roman Pontiffs*⁴, and the *Deeds of the Franks*, and the books of Bishops Isidore, Fulgentius, Martin, [p. 4] and the book of Ephrem and the *Synonyms* of Isidore, and the book of glosses, explanations and days.

Adalard we want to have the third Psalter which we have for our use, and the *Commentary on the Letters of Paul*, and the book of Saint Augustine *On the Words of the Lord*, and *On the Prophet Ezechiel*, and the lectionary on the Epistles and Gospels written in gold, and the Life of Martin, and the book of Anianus,⁵ and the volume of *Seven Books* of the great Paul Orosius, and the book of Augustine to Jerome the Priest, about what James said ‘Whoever keeps the whole law, and offends in one item, he is guilty of everything’.

Rodolph we wish to have the psalter with its exposition which Gisela has for her use, and Smaragdus, and the *Collectaneum*, and Fulgentius, and the everyday Missal, which we always have in our chapel, and the Life of St Martin, and the *Physionomia* of Loxus the doctor, and the *ordo* of the first rulers.

Our first-born daughter Engeltrude we wish to have the book called the Lives of the Fathers, and the book which is called the Book of the Doctrine of St Basil, and the Apollonius and the *Synonyms* of Isidore. Judith we want to have one missal, and the book which begins from the sermon of St Augustine *On drunkenness*, and the Lombard law and the book of Alcuin to Count Wido. Heilwich we want to have one missal, and a passionary and a book of prayers with psalms, and a little book of prayers. Gisela we want to have a book *On the four virtues*, and the *Enchiridion* of St Augustine.

All this we wish to remain divided amongst them in this way after our death, whenever it happens. From this day on, which we have now determined, whatever we acquire in moveable or immovable property, if the Almighty grants us life and health, if we have not made arrangements before our death, *sive in laboratione sive in peculio*, whether in our property which we have divided or our benefices [?], we wish that Unroch has half of it all. And the rest our faithful followers, who are present when we decided this, will distribute for the salvation of our soul, both in Francia and in Lombardy and Alemannia, whether in ownership or in benefice, as we mentioned. Our slaves (*servi*)

¹ This possibly survives in the Vatican library, with an ex-libris of *Euuardus*: [Vat Reg Lat. 11.](#)

² This legal compilation was edited by Lupus of Ferrières; it survives in two later copies.

³ Vegetius: perhaps to be identified with Vatican Vat. Lat. 4493.

⁴ Ie the *Liber Pontificalis*.

⁵ Probably the Breviary of Alaric.

whom we were pleased to free in these places from our holdings, whether in Francia or Lombardy or Alemannia, we wish that they will be free, and those we wished to give someone while we were alive, we shall keep in our power [?].⁶ And similarly for our *familia* who are not on our holdings, but whom we have acquired externally, we wish that whichever of our children we have given them to, they shall be given without the dispute of the others. We wish that all these things shall remain thus.

I, in the name of God Count Eberhard, [p. 5] with my wife Gisela, have made this testament of division between our children, whose names are these: Unroch, Berengar, Adalard, Rodolph, Engeltrude, Judith and Heilwich, in the presence of our faithful followers who were present, whose names are these: Adalroch our nephew, Wellebert the priest, Werimbart, Lanfrid, Drumar, Uto, Diso, Engelhad, Heribert, Otpert, Fredeco. Made in the county of *Tarvisiano*, in our estate at Musestre, in the reign of the august Louis (II), in the 24th year of his reign, Christ willing.

⁶ Servos autem nostros, quantos nobis placuerit in supradictis locis dimittere liberos de nostro praedio... volumus ut liberi sint, vel cuicumque illorum de loco in locum, dum advixerimus, voluerimus dare aliquem, in nostra servamus potestate.