

during the testator's life. Why then has the Bishop's official admitted this will to proof, if it is neither signed (by autograph or mark) nor nuncupative in character? Because, prior to January 1st, 1838, it was not at all necessary that a will of personal estate should be signed. Decisions of even modern date to this effect are plenty, and will be found in Williams on Exors. p. 67. In Queen Elizabeth's day (of whose time this will is) the law required no formalities whatever to render valid a will of personal estate. By the names of the witnesses being given, it is evident that the testator published or acknowledged the document as his will, and nothing more was wanted to make it a good will of personality.

With its validity as a will of real estate, the Bishop would have nothing to do. It may be a good will as to personal estate and invalid as to real. But in this case the actual legal estates of the realty attempted to be dealt with are passed by separate assurances, (by covenant and fine) and the directions of this will as to them would, probably, by an Elizabethan Chancellor be considered valid as trusts.

WILL No. 2

Is a will solely of personal estate; it has no signature, and no signature or mark whatever was necessary to its validity.

A will is not necessarily nuncupative because unsigned.

R. S. F.

ART. XXV.—*Bolton Church.* By the Rev. T. LEES, M.A.
Read at Bolton July 29, 1875.

BOLTON is an ancient chapelry in the parish of Morland. Like the mother church it was attached to the Priory of Wetheral; for from the register of Wetheral quoted N. & B., vol. I., p. 455), we find that in the year 1326, "an inquisition was taken in St. Lawrence's Church, in Appleby, before Robert de Sothaic, official of Bishop Ross, upon this question, who ought to furnish the chantry in the chapel of Bolton. The substance of the evidence was that the ancestors of Sir John de Derwentwater founded the said chantry, and when there wanted

wanted vestments or other ornaments in the said chantry the lord and his bailiff distrained the goods and chattels of the tenants of the prior of Wederhal in Bolton" (the priory had five tenements here of the yearly rent of £2 11s. 8d.) "and kept the same; and that on complaint thereof by the tenants to the prior, the prior distrained the vicar to find a chaplain; and that whatever might be between the prior and the vicar, the lord and his bailiff kept the distress till all the things were provided." This seems to be all that is on record concerning the old church here, and neither the Machell MSS. nor Bishop Nicholson's visitation gives us any information so far as I have been able to find. From this extract we learn this much, namely, that there was a church here long anterior to 1326, and the building itself speaks to the same effect. Whilst leaving the architecture of the church in abler hands, I may perhaps be allowed to notice certain points of resemblance, which strike myself, between this church and St. Cuthbert's Cliburn. Both have Norman doorways on the south side, but the tympanum at Cliburn is built up, and its details hidden by roughcast. Both have very plain semicircular chancel arches. The only light admitted on the north side of each chancel is from a small, round-headed, deeply-splayed window. Immediately on the right hand as you enter each chancel you find a very low square-headed vulne or leper window. The small pointed window immediately above the lintel of the priest's door gives a lightsome appearance to this chancel. On the south face of the buttress, at the south-west corner, an ancient sun dial, engraved in the stone, must not be passed by. The gnomon is gone, and its place supplied by a piece of stick. Upright against the wall on the south side is placed the stone effigy of a lady with hands clasped on the breast; and the details of the dress seem to point to the time of Edward III. On passing round to the north side we find that the only light admitted to the nave from
that

that quarter is through the glazed tympanum of a Norman doorway, the lower part of which has been built up. Local tradition says that this door was intended for the use of the inhabitants of a much larger village situated north of the church in ancient days. Over this doorway we find two stones built into the wall, and evidently part of the original structure. The more eastern of the stones seems to commemorate a tournament. One mounted knight is striking another on the helmet with his lance, while the latter droops his weapon, to which a pennon is attached. Whatever the date of the carving may be, the details bear a marked resemblance to figures in the Bayeux Tapestry, as any one may see by referring to any of the ordinary pictures of that work. We might almost venture to say that the sculptor had had drawings from the tapestry to guide him. Both knights wear pyramidal head-pieces, with the straight piece of iron in the front of the face, called "the nasal," as it protected the nose; and the neck-guard at the back to protect the part not covered by the hauberk. These appendages to the conical helmets give them rather the appearance of modern cocked hats. Both knights are clad in close-fitting mail shirts, and carry the usual Norman kite-shaped shield. The pennon attached to the lance of the conquered knight is split at the extremity into three square-ended streamers. The lances also are of the usual Norman fashion, *i.e.* of the same thickness throughout. The other stone contains an incised inscription in Lombardic characters. It is much weather worn; and I have only succeeded as yet in deciphering a part of it. I can, however, make out quite clearly the words *DE BOELTVN*, and Dr. Simpson told me this morning the words were preceded by the letters *MES*, the abbreviation for Miles. He also informed me that the *Gentleman's Magazine* for 1780 contains an article on this antiquarian puzzle. You, with myself, I am sure, regret that he has had so soon to quit us this morning. The
chancel

chancel windows contain three pieces of ancient glass, to which I would especially call your attention. The little round-headed window at the north side of the chancel contains (turned up-side down) a shield of the arms of Ratclif, viz., Argent : a bend engrailed sable, charged with a crescent of the first, in the sinister chief an escallop-shell of the second. This shield differs from one on Sir John Ratclif's tomb at Crosthwaite (A.D., 1527), by the addition of the crescent and escallop shell as marks of cadence. In modern heraldry the escallop, as the mark of the 5th son, is superseded by the annulet. The Derwentwaters, from the time of King John, held the manor of Bolton of the Graystocks as mesne lords, the Graystocks holding immediately of the Cliffords. One of the family, as you have just heard, founded a chantry in this church, hence the presence of the Ratcliff and Derwentwater arms; for, if I mistake not, we find these latter also in the window over the priest's door, where we have, argent, 3 bars gules, on a canton of the 2nd, a cinquefoil. Usually we find but 2 bars for Derwentwater. The Ratclif family were staunch adherents of the Yorkist party. Sir Richard was made a knight banneret by the Duke of Gloucester for services in the field, in August, 1482. After the Duke's seizure of the crown he created Ratclif a Knight of the Garter; and we find him mentioned in the well known old Lancastrian rhyme as one of King Richard's principal councillors—

The Cat, the Rat, and Lovel the dog,
Rule all England under the Hog."

In 1484 he was made high sheriff of Westmorland for life (N. & B. I. 286) Hence we are hardly surprised to find the well-known badge of the "Sun of York" depicted in the round-headed window at the south end of the sacarium. I trust that these few rough notes will justify an assertion I have often made to members of this Society, that this little church is one of the most interesting in the district.

NN

ART.