

ART. I.—*Wills relating to the Dean and Chapter Library at Carlisle. Wills of Rev. T. Machell, Bishops Smith and Nicolson, and Joseph Nicolson.*

Communicated at Windermere, by R. S. FERGUSON, F.S.A., June 5th, 1878.

I HAVE the honour to lay before the Society, for publication in our Transactions, certain Wills of great local interest, which I have obtained from the Probate Registries at York and Carlisle, while making enquiry into the position of the public with regard to the manuscripts in the Dean and Chapter Library at Carlisle.

The earliest is the Will of him whom we may consider to be the father of all Cumberland and Westmorland Antiquaries, Thomas Machell. It is dated October 19th, 1698. In the inventory is an item of £60 19 06 for books, a prodigious sum to be thus invested by a country parson at that date. By this Will he bequeaths the manuscripts of which so much is often said, and of which so little can now be seen, in the following manner:—

“And for those trivial collections of mine in order to an History of the Counties of Westmorland and Cumberland, with all my papers and Coyns relating thereto, I will that the same shall belong to my said wife and children, and I will that the said Mr. Shepherd doe deliver them to Mr. Archdeacon Nicholson whom I doe entrust to peruse the same and put them in order, and if the Gentlemen of the said Countys will be at Cost with the Cutts that they be printed to the use and benefit of my said wife and children.”

From Sir Thomas Hardy's report on the Carlisle Cathedral MSS., I extract the following, written by Bishop Nicolson in the 1st volume of the “trivial collections.”

“This and the five following volumes [marked on the back T. M. vol. I., T.M. vol. II., &c.] are made up of loose papers left to me by their author, Mr. Thomas Machell, late Rector of Kirkby Thore;

with

with his request that (if it might be readily done) they should be put into form and offer'd to some bookseller for ye benefit of his widow and children. Upon perusal of 'em I found the collection so imperfect, raw, and undigested, that 'twas impossible to bring them (of 'emselves) to any such account as the good man hoped for. Since, it appeared that he had bestow'd more pains on ye Family of Machel than on the Pedigrees of all the rest of the Gentry in the two counties, and that the single parish of Kirkbythore was more labour'd than all besides in the bottome of Westmorland. In the transcript of Records, &c., he has made use of other men's hands. As (particularly) in those put out of the Tower in the 4th volume, I find a good many of my own writing. This drudgery (I remember) I was unwillingly putt upon in 1678, when Mr. M. was fellow and I Taberdar of Qu. College, and (being then in attendance on Mr. Secretary Williamson) in daily expectance of being sent beyond sea. Others are copied by W. Atkinson (afterwards Fellow of the same College), who was not well acquainted with old Records."

"Mr. Machel's own chief excellency was in drawing coats of Arms, Prospects of Churches and Houses, &c. And whoever shall hereafter perfect his Design in furnishing the Curious with such an History of Cumberland and Westmorland, as Sr W. Dugdale has given of Warwickshire may here have a good share of the ornamental part of the work. For example:—

- "1. Coats of arms of the Families of Note in both counties are fairly drawn."
- "2. Roman monuments are well drawn."
- "3. Prospects of Churches, Chappels, and the Seats of Nobility and Gentry."
- "4. Monuments in Churches, Seals, & modern."

"For the Readers further assistance I have drawn up a short abstract of the contents of every volume, which is prefixed to each respectively, and added an alphabetical index in the end of all of them severally. In the vacant leaves of the parishes I have here and there added (as I may probably continue to do) some occasional notes, as they fell in my way, omitted by the Author."

Bishop Nicolson evidently intended Machel's Collections to have readers.

Let the Bishop's nephew and secretary, Joseph Nicolson, tell us what the Bishop did with the Machel Collections.

"He

“ He gathered all the scattered fragments together, and bound them up in six volumes in folio, and lodged the same in the library of the Dean and Chapter of Carlisle that they might be made use of, if any person afterwards should undertake an history of the said two counties.”—Nicolson and Burn’s History of Cumberland and Westmorland, vol. I., p. iii.

The Bishop’s Will is dated 30 March, 1725. It contains nothing referring to any manuscripts in the Dean and Chapter Library, but his nephew’s does.

Joseph Nicolson, in a codicil dated 25th April, 1775, to his Will dated 24th Dec., 1764, says :

“ Also I give and bequeath unto the Dean and Chapter at Carlisle and their successors for ever, for the use of their Library at Carlisle aforesaid, all and every the manuscripts hereinafter mentioned. But do desire that any unexceptional person or persons whatsoever may have the perusal or use thereof at all proper times the said Dean and Chapter for the time being at all times taking care that sufficient security be given that the same be returned within a limited time safe and unmutilated or defaced before the same is taken out of the said Library.”

The list embraces the most valuable books and manuscripts in the Library.

If to these be added the valuable publications of the Record Commissioners, the property of the Home Secretary, and lent to the Dean and Chapter for public use, it would seem that the Dean and Chapter hold the best part of their Library impressed with a trust for the public. Probably many other benefactors, the Duke of Northumberland for instance, presented books under the impression the Library was for public benefit.

I also give the Will of the munificent Bishop Smith, dated 27th Sept., 1700. He leaves £230 to the poor of the parishes within his diocese, also some books to the Dean and Chapter Library, but his Will should be read, as it is almost throughout of public interest.

The

The Will of the Rev. Thomas Machell, Oct. 19th, A.D., 1698.

If it please God that I die at this time I do desire that my uncle Atkinson of Lowther Mr Shepherd of Clyburn and my brother Lancelot Machel of Buly in Westmorland would be Trustees and Supervisors of this my last Will and Testament to each of which I give a gold Ring: And that they shall sell the perpetuall Advowson of my Parsonage of Dogmershfield in the County of Southampton which I purchased: And that they shall divide the price thereof and all my Goods when they are sold, and the value of Bonds and all other debts due unto me into Six equall shares, one of which shall goe during her life to my Deare wife that she may be supported with the interest of it, and to enable her to be kind to her son Roger and my son Lancelot, to the former of which I will that she give according to my promise at least thirty or forty pounds of the principle or more if she pleaseth by any note under her hand, if he continues to be a good boy and abide in his Apprenticeship and the remainder to my son Lancelot to augment his share and The other five shares I will shall goe to my five children, to the said Lancelot and my four daughters Elizabeth Bridget Jane and Anne: and I do appoint the aforesaid Lancelot Machell my brother and the aforesaid Mr Shepherd Executors in trust only for the benefit and advantage of my said wife & children and not otherwise ordering them to pay all my debts before any such Dividend be paid. And for those trivial collections of mine in order to an History of the Counties of Westmorland and Cumberland with all my papers and Coyns relating thereto I will that the same shall belong to my said wife & children & I will that the said Mr. Shepherd do deliver them to Mr Archdeacon Nicholson whom I doe entrust to peruse the same and put them in order, and if the Gentlemen of the said Counties will be at Cost with the Cutts that they may be printed to the use & benefit of my said wife & children And I doe allow the said Executors in trust five pounds apeece each besides their charges in consideration of their care & pains & whatsoever my brother Lancelot is owing me I do acquit him;* Witness my hand

THO. MACHELL

L.S.

Witness hereof

Tho Burton jurat

Thomas Sanderson jurat

Seal in red wax a shield without crest, bearing three dogs courant with a motto, apparently a single word, below.

* This sentence interlined.

Mem' That Novemember 5 1698, Mr Machell did with his own hand dash out four words in the second line of this Will and did declare the rest to be his last Will & Testament

Witness hereof

W. Burton

Thomas Sanderson

Apud Kirkbythore 28 Die mensis Februarij Anno Dom 1698 probatum fuit hmodi Testamenti ac Adco in Testamto prd
com fuit Elizabeth Machell vid

A

A True & Perfect Inventory of the Goods & Chattels of the Rev Mr Thomas Machell Rector of Kirkbythore late Deceased

Appraised December 5 An. Dom. 1698.		li	s.	d.	
Imp	His Purse Apparell, Mare Saddle & bridle	40	00	00	
Itm	A Cupboard; Tables, Longsettles, Chairs & other Goods in the Hall	03	10	00	
Itm	A Steel Mill A Chest 2 Cupboards, A napkin press a Flesh tub A Chain A Creampot and other things in the buttery	02	10	0	
Itm	Brasse Pewter, an Ironpot frying pans, Iron Oven grate, racks, Spits Reckonhooks Tongs wood vessels &c in the Kitchin	07	00	00	
Itm	A bedstead & bedding in the room over the Kitchin	00	12	00	
Itm	A bedstead, bedding hangings Curtains & furniture in ye Parlour	05	00	00	
Itm	Goods in the little Garret and wooll chamber	00	15	00	
Itm	A bedstead Curtains Hangings Tables, Chairs &c. in ye Purple Chamber	02	10	00	
Itm	bedstead, bedding hangings Chests & furniture in the Out Garrett	02	10	00	
Itm	Goods & Furniture in the dining Room & Yellow Chamber	15	06	00	
Itm	In Sheets Table linnen & other linnen	06	00	00	
Itm	In Plate	04	10	00	
Itm	Corn in the Barn, &c.	60	00	00	
Itm	3 Stacks of Hay & $\frac{1}{4}$ of a Stack & Hay in the little barn	18	00	00	
Itm	Husbandry Gear	03	10	00	
Itm	Boards felloes, Spokes A chest a hack and spare mould boards plow head and Shares	01	03	00	
Itm	A Cowe	02	10	00	
Itm	a Mare	00	10	00	
Itm	Wood in the yard & a Grindstone	00	05	00	
Itm	2 Swine & 5 dozen of bottles	01	07	00	
Itm	In Books	60	19	06	
Itm	A bedstead, Tables, Chairs &c & other Goods in the Inner Garrett	00	10	00	
Debts owing to the Deceased by specialty or otherwise		153	08	06	
		<hr/>			
		In all	392	00	00

jurat Thomas Smith }
 jurat Thomas Sanderson } Apprizers.

Funeral Expenses - - - - - 020 00 00

Government Stamp on Inventory VI pence

The

*The Will of the Right Rev. Dr. Smith, Bishop of Carlisle,
Oct. 8, 1700.*

(Extracted from the Registry of the Prerogative Court at York.)

In the Holy Name of God the Father the Son and Holy Ghost Amen. I Thomas Smith, Doctor of Divinity and Bishop of Carlisle, being at the time of making and writing hereof in good health and of sound memory and understanding (blessed be God for it) but weighing and considering the frailty and uncertainty of this mortall life Doe make this my last Will and Testament in manner and forme following:— First, I commend my Soule into the Hands of Allmighty my maker, humbly beseeching him that he will graciously vouchsafe to receive it, and take it into his mercifull hands, whensoever it shall departe out of my body, as my trust is he will of his Infinite mercy in goodness in Christ Jesus, his beloved Son, and my alone Saviour, And I doe hereby declare that, as I have hitherto lived, soe by the grace of God I resolve to die, in the Faith of Communion of the Church of England as it is now by law established, my Body I bequeath to the earth out of which it was taken, to be decently interred in the Cathedral Church of Carlile, near to the grave where my dear wife is buried: as for my worldly Estate wherewith God hath blessed me I dispose thereof as followeth:— Imprimis. I give and bequeath unto the Provost and Fellows of Queen's College in Oxford and their Successors, as a gratefull acknowledgement of my education and maintenance in that Colledge, the summe of Five hundred pounds, to be employed and laid out for and towards the better maintenance and subsistance of the foundation masters there (as they are styled) from the time they shall be presented Masters of Art until they are elected fellows or otherwise preferred Provided allwayes that they be subject and obedient to the statutes, rules, and orders of the said colledge, the said summe of Five hundred pounds to be paid by my Executor immediately and before my other legacies after my death, unless I shall actually give and pay the same in my lifetime But in case I do give and pay the said summe of Five hundred pounds to the Colledge in my lifetime as I doe now intend, and am about to doe, Then my Will is that my Executor in such case be discharged of and from the payment of the said summe and every or any part thereof. Item, I give and bequeath to Thomas Lamb and his wife forty pounds: To William Bowness and his wife forty pounds; To William Raw, Son of Thomas and Mary Raw, Twenty pounds: To Rowland Grey and his wife twenty pounds; To John Dalton and his wife Forty pounds; To Thomas Atkinson, son of Dorothy, forty pounds, to be secured to him after my death by William Bowness; To John Langhorne, if living, or, in case he be dead, to his children, forty pounds; To Thomas Fawell twenty pounds; To Richard Fawell Twenty pounds; and to Elizabeth Kaile twenty pounds; To my two Brothers-in-law, Mr. Richard and Mr. Phineas Baddeley, to whome I have already (since my wife's death) given and paid the summe of Five hundred pounds, I doe hereby leave a broad piece of gold to each of them, to buy them mourning rings with if they please. Item, I give unto Ewan Christian Esquire, Steward of my Courts, Ten pounds to buy mourning with; and to my two Chaplains Mr. George Fleming and Mr. Geoffrey Milbergh (if they continue with me untill the time of my death ten pounds apiece to them likewise for mourning To John Langstaffe I give and bequeath Twenty pounds; To William Marshall twenty pounds; To Ann Nicolson ten pounds; To Thomas Rudd ten pounds; To Joseph Porter ten pounds; and to the rest of my Servants each of

them

them a full yeares wages over and besides what shall be due unto them at the time of my death. Item, I give and bequeath (instead of a Publick and common dole at my funerale) the sum of Two hundred and thirty pounds to be distributed to the poore of the severall parishes within this Diocess, according to a list or schedule hereto annexed and now signed by me. Item, I leave and bequeath to my successors Bishops of Carlisle the Communion Plate (viz: the Flaggon, Chalice, and Patten,) which I bought for the use of the Chappell here at Rose Castle, together with the Books and other furniture in the said Chappell. Item, I give unto the Dean and Chapter of the Cathedrall Church of the Holy and Undivided Trinity of Carlile and their Successors the summe of one hundred pounds, which said summe of one hundred pounds I have already delivered and putt into their hands to be secured and employed by them for and towards the better paying and answering of the salaries due to the inferior members of the said Church, according to an order allowed of and signed by me and entered in the Registry of the said Deane and Chapter. And I do also give and bequeath unto the said Deane and Chapter and their Successors all such of my Bookes as are and shall be wanting in their Library and be judged fit to be placed there. All the residue of my said Books I give to my two Chaplains, Mr. George Fleming and Mr. Geoffrey Millbergh, to be equally divided betwixt them. And to each of my said Chaplains also continuing with me till the time of my death I doe further give the summe of forty pounds. Item, I give and bequeath for and towards the better endowment and advancement of the free Schoole at Carlisle, and augmenting the Salary of the master there for ever, the summe of five hundred pounds. Item, I give and bequeath for and towards the augmentation of the vicarage of Penrith, and the better maintenance and encouragement of the Vicars Incumbents there for ever, the summe of five hundred pounds. Item, I give and bequeath in like manner for and towards the augmentation of the vicarage of Dalston, and the better maintenance and encouragement of the Vicars Incumbents there for ever, the summe of Three hundred pounds. And my will is that the said three summes (viz., five hundred pounds for the free schoole at Carlisle, five hundred pounds for the Vicarage at Penrith, and three hundred pounds for the Vicarage of Dalston) shall be paid by my Executor within six months after my death unto the Deane and Chapter of the Cathedrall Church of Carlile aforesaid, whom I do hereby constitute and appoint Supervisors of this my last Will and Testament, and Trustees for the Charities aforesaid, requesting them to see the same duely settled and secured according to mine attention and Will herein, unless I shall dispose, settle, and pay the same in my lifetime. But, in case I shall pay and settle all or any part of the said Charities or legacies in my lifetime, Then my will is that my Executor in such case be discharged of and from the payment of such and so much of the said legacies or charitable bequests as I shall so settle and pay in my lifetime. Lastly, I doe hereby make, constitute, and ordaine my faithful Secretary, John Nicolson sole Executor of this my last Will and Testament, To whom I give and bequeath all the residue and remainder of my Goods and Chattels, debts, duties, and personall Estate whatsoever (my debts, legacies, and funerall expenses being first paid and discharged), hereby revoking all former Wills by me made And I doe order my Executor to give unto every one of my said Supervisors and Trustees (the Deane and Prebendary of Carlile) a mourning ring of good value. And to this my last Will and Testament I have sett my hand and Seale at Rose Castle the twenty-seventh day of September in the year of our Lord one thousand and seven hundred.

THO. CARLIOL.

Signed,

Signed, sealed and published in the presence of us—John Brisco, Nath. Spooner, Timo. Stephenson, Tho. Bewley, Jonathan Green,

THO CARLIOL.

Signed, sealed and published the eighth day of October, 1700, in the presence of Ewan Christian, Matt. Miller, Geo. Langstaffe, Jonathan Green.

A list or Schedule of the several parishes within the Diocess of Carlile with the respective summes ordered to be given to the Poore of each Parish instead of a Publick and Common dole at my funerall.

CARLISLE DEANERY.

	£	s.		£	s.
St. Mary's and } Carlisle	12		Irthington	2	
St. Cuthbert's }					
Dalston Parish	10		Brampton	3	
Wetherell and Warwick	3		Farham Chapelry	1	
Stanwick	3	10	Walton and Leonardcroft	3	
Sedbergham	2		Denton and Stapylton	3	
Thursby	2		Hayton	1	10
Aikton	2		Castle Carrock	1	10
Orton	2		Cum Whitton	1	10
Kirk Bampton	2		Cum Rew	1	10
Bowness	2		Bew Castle	2	
Burgby Sands	2		Arthuret	2	
Beaumont and Kirklanders	2		Kirkanders Esk	2	
Roccliffe	2		Kirklington	1	10
Grinsdale	1		Heskett	2	
Scaleby	2		Armathwaite	1	
Crosby sup-Eden	2	10	Wrey	1	
				81	10

ALNDALE DEANERY.

Caldbeck	2	
Crosthwaite wth 4 Chap	5	
Bassenthwaite	1	10
Uldale	1	10
Ireby	2	
Torpenhow	2	
Isell	1	10
Camerton	1	10
Bridekirk	2	
Dearham	2	
Gilcrux	2	
Crosscanonby	2	
Plumbland	1	10
Bolton	1	10
Aspatrick	3	
Brumfield	2	
Wigton	3	
Westward	2	
Kirkbride	1	
Holm Cultram	2	10
Allhallows	2	
	43	10

CUMBERLAND DEANERY.

Penrith	10	
Graystoke wth 4 Chapp	5	
Skelton	2	
Castle Sowerby and } Raughton Head	3	
Hutton	2	
Edenhall and } Langwathby	2	10
Salkeld	1	10
Melmerby	1	10
Lazanby	1	10
Ainstable	1	10
Croalin	1	10
Renwick	1	
Kirkoswald-	2	10
Adingham	2	
Oasby	2	
Kirkland and Calgath	2	10
Dacre	2	
Newton	2	

£46 0

WESTMORLAND

WESTMORLAND DEANERY.

		£ s.			£ s.
Burgh under Stainmore	}	3	Newbiggin	}	1 10
with Chap			Burton with chap		2 10
Crosby Garret		2	Dufton		2
Kirkby Stephen with	}	4	Kirkby Thore, with	}	2 10
2 Chap			2 chappells		
Ravenstonedale		2	Shap		2
Overton als Orton		2 10	Bampton (and Mard)		2
Crosby Ravensworth		2 0			
Assby		5 0			£59 0
Musgrave		2			
Long Marton		2			
Bongate		2 10			
Appleby		5			
Armistead		2	DEANERY of		
Warcopp		2	Carlile		81 10
Askham		2	Aldale		43 10
Lowther		2	Cumberland		46
Broughton		1 10	Westmorland		59
Clifton		1 10			
Cliburne		1 10			£230 0
Morland with 2 chap		2 10			

THE CARLIOL.

The Will of the Right Rev. William Nicolson, Bishop of Derry, formerly Bishop of Carlisle, March 30, 1725.

Extracted from the District Registry at Carlisle, attached to the Probate Division of Her Majesty's High Court of Justice.

Extracted from the Testamentary Records of the Consistory Court of Carlisle, transmitted to and now of Record in the above-named District Registry.

In the Name of the Holy and Undivided Trinity, three persons in one Eternal Godhead, I William Nicolson Dr. in Divinity, and Bishop of Derry in the Kingdom of Ireland Do make this my last Will and Testament in manner & form following, First I bequeath my Soul to my blessed Saviour, Jesus Christ through faith in whose sufferings I hope for its Salvation. Item, I give my Body to be buried at the discretion of my Exors. hereafter named, with as little expense as is consistent with decency in the chancel of the Cathedral Church of St. Columb in Londonderry, if I die within the precincts of that Diocese, or if elsewhere, in the Church or Church Yard of that parish wherein it shall please God to put an end to my Life. Item, To my Elder son Mr. Joseph Nicolson, Chancelr. of the Cathedral Church at Lincoln who had nine hundred pounds from me since my Translation into Ireland, I give my Tenement or Tenements at Parkbroom holden of the Bishop of

B

Carlile

Carlile excepting the Tith-Barn which I give to my daughter Catherine the present Lessee of the Tythes of Linstock & her assignees. Item, To my Younger Son, Mr. John Nicolson, Rector of Donaghmore, I give two hundred pounds in augmentation of his wife's portion as stipulated by his marriage articles, as also all my Books, Scritore, Cabinet of Coins and Medals, Trunks, or Boxes of Letters, and other papers left in my Study at my death and also the Cabinet of Fossils in the office. Item, Whereas I have formerly paid a marriage portion of five hundred pounds to my Eldest daughter Mary, the now wife of Dr. Thomas Benson, I do hereby bequeath the like sum of Five hundred pounds to her the said Mary Benson, that her fortune may be equal to that of her Sister Elizabeth Mauleverer to whom I and my Executors are obliged to pay a Thousand pounds and to that of her youngest sister, Anne, the wife of Alderman Joseph Bolton, to whom I have already paid the like summ of one Thousand pounds. Item, I give and bequeath to my daughter, Catherine Nicolson, the summ of one thousand pounds over and above the Lease of Linstock Tithes, provided that if in my lifetime I shall give her five hundred pounds besides the thousand forementioned, the said Tithes shall be enjoyed by Mrs. Grace Nevinson and Mrs. Elizabeth Carlile, my sisters, and the longer liver of them and after their decease shall revert to the said Catherine and her Executors or assignees. Item, I give and bequeath to my said daughter Catherine Nicolson, the Scritore in my Bed Chamber and the large Silver Bowl and Cover, as a more particular acknowledgement of her faithful discharge of her Trust in keeping my house for ten years past. Item, The Residue of my Goods and Chattels, my debts, Legacies, and funeral expenses first paid, I leave to be equally distributed amongst my aforesaid six Children, Joseph Nicolson, John Nicolson, Mary Benson, Elizabeth Mauleverer, Ann Bolton, & Catherine Nicolson, or so many of them as shall be living at the time of my death. Lastly I appoint my aforesaid Son John Nicolson and his Sister (my said daughter) Catherine Nicolson joint Executors of this my last Will and Testament, hereby revoking all former wills by me made and declared. In witsse whereof have hereunto set my hand & seal, the 30th day of March, 1725.

W. DERRY.

L. S.

Signed, seal'd and delivered to be the last Will of William, Lord Bishop of Derry, on Tuesday, March 30th, 1725, in the presence of Charles Garraway, Abraham Hope, Jacob Bewley.

Proved at Carlisle, 23rd November, 1727.

The Will of Joseph Nicolson, December 24th, 1764, with one Codicil, 25th of April, 1775.

Extracted from the District Registry at Carlisle, attached to the Probate Division of Her Majesty's High Court of Justice.

Extracted from the Testamentary Records of the Consistory Court of Carlisle, transmitted to and now of record in the above-named District Registry.

In

In the Name of God Amen I Joseph Nicolson of Hawkesdale in the parish of Dalston & County of Cumberland, Esq., Do make and declare this for and as my last Will and Testament Hereby revoking all former Wills by me made AND FIRST WHEREAS I have surrendered All my Copyhold Messuages Lands tenements and hereditaments with their and every of their appurtenances scituate lying and being within the manor of Dalston in the County of Cumberland aforesaid into the Hands of the Lord of the said Manor, to the use of my last Will and Testament and also conveyed by Deed and surrender unto my most dear nephew John Nicolson of the City of Carlisle in the County of Cumberland aforesaid Gentleman All and singular my Customary Messuages Lands tenements and hereditaments with their & every of their appurtenances within the Manors of Dalston and Linstock within the said County of Cumberland IN TRUST nevertheless to and for such uses intents and purposes as I should direct limit or appoint give devise or assign the same AND WHEREAS, I am seized in fee simple or some other good Estate of Inheritance of and in divers Messuages Lands Tenements and hereditaments scituate lying and being within the parishes of Dalston and Stanwix in the said County of Cumberland, AND ALSO intituled unto a messuage and tenement with appurtenances commonly called by the name of Linstock Castle and Castle Shields within the manor of Linstock aforesaid and of two Fishings in the River Eden there held by Lease for three Lives of the Lord Bishops of Carlisle aforesaid, and also unto another Tenement called Bromfield Place with certain Lands thereunto belonging in Hawkesdale aforesaid and one other Tenement there called Dowson's Place, and also one other Tenement there called Moors Tenement all held of the said Lord Bishop of Carlisle by Lease for three Lives And also to certain parcels of Arable Meadow or Pasture Ground being parcel of a Great Waste called Kingmoor consisting of Twelve acres or thereabouts and held of the Corporation of the City of Carlisle aforesaid by Lease for three Lives Now MY WILL is and I do hereby Limit and appoint give and devise unto my said dear nephew John Nicolson and his heirs and assigns for ever all and singular my said freehold Copyhold Customary and Leasehold Messuages Lands tenements Fishings and hereditaments and all other my Lands and real Estate whatsoever and wheresoever with their and every of their rights members and appurtenances and all my Estate right Title and Interest therein or thereunto. TO HAVE AND TO HOLD to the said John Nicolson his heirs and assigns for ever according to the respective Tenures thereof Subject nevertheless to the payment of all my debts and of the several annuities and Legacies hereinafter mentioned Also I do hereby give and devise unto my sister Mary Nicolson one annuity or yearly rent charge of twenty pounds of lawful money of Great Britain To my Sister Margaret Nicolson one annuity or yearly rent charge of Twenty pounds of like lawful money And to my Niece Jane Harrington, widow, one annuity or yearly rent charge of twenty pounds of like lawful money to be paid to them respectively for and during all the term of their respective lives at the Feasts of the Nativity of our Lord and Saviour Jesus Christ commonly called Christmas Day, The Annunciation of the Blessed Virgin Mary, Saint John the Baptist and Saint Michael the Archangel by even and equal portions free of all Taxes and deductions whatsoever the first payment to begin and be made at which of the Feast Days shall happen next after my decease. Also I give and bequeath unto my Niece Peggy Nicolson the sum of Four hundred pounds Lastly I do hereby make constitute and appoint my said dear Nephew John Nicolson sole Executor of this my last Will and Testament, And hereby give and bequeath unto him all and singular the rest and residue of my

my

my Goods Chattels and personal Estate whatsoever and wheresoever. In witness whereof I have to two several parts hereof sett my hand and seal this twenty-fourth day of December in the year of our Lord Christ one thousand seven hundred and sixty four

JOSEPH NICOLSON

L.S.

Signed sealed and published by the above-named Joseph Nicolson and by him declared to be his last Will and Testament in the presence of us who at his request and in his presence and in the presence of each other have sett our hands as witnesses thereto Thomas Storey—Robert Blamire—Robert Feddon

A Codicil to be annexed to & taken as part of the last Will and Testament of me Joseph Nicolson of Hawkesdale in the parish of Dalston & County of Cumberland, Esq. bearing date the twenty-fourth day of December 1764. And first I do hereby repeat and confirm the same. And do also will & declare that whatever Lands Messuages Tenements or hereditaments with their & every of their appurtances which I may have purchased or any how acquired since that time are to be added thereunto & included therein. Also I give & bequeath unto my Niece Peggy Nicolson two hundred pounds over & above the £400 bequeathed to her in the said Will. Also I give and bequeath unto the Dean and Chapter at Carlisle and their successors for ever for the use of their Library at Carlisle aforesaid All & every the Books & Manuscripts hereinafter mentioned. But do desire that any unexceptionable person or persons whatsoever may have the persual or use thereof at all proper times the said Dean and Chapter for the time being at all times taking care that sufficient security be given that the same be returned within a limited time safe and unmutilated or defaced before the same is taken out of the said Library—Rymer's Fœdera 20 Vol. Fol—Wilkin's Councils 4 vols. fol.—English Atlas 4 vols. fol.—Wilkin's Anglo-Saxon Laws—Walker's Lexicon Diplomat—Lye's Innues's Etymol Angl.—Inet's Origines Anglicani—Maddox's Formulæ Anglicanum—Maddox's Firma Burgi—Maddox's Baronia Anglicana—Somner's Saxon Dictionary—Lhwyd's Archæol Britan—Tanner's Notitia Monastica—Rastall's Statutes—Burton's Monasticon Eboraconse—Anderson's Theaurus Diplomat & Numis Scotia—Bell's M.S. of Border Affairs—Register of Holm Cultram—Do of Lanercost (copy only)—Bishop Nicolson's Miscel. Actts. of the Diocese of Carlisle—Calvin's Lexicon Juridicum.*

In witness whereof I have here unto sett my hand and seal this twenty-fifth day of April 1775

JOS. NICOLSON.

L.S.

Signed sealed and declared by the sd. Joseph Nicolson the Testator as & for a Codicil to his last will and Testament in the presence of us who in his presence & at his request have subscribed our Names as Witnesses thereto—John Bewley—John Crosier—William Nixon

Proved Jany. 24th, 1777.

* The titles of the books are given as in the codicil, which Mr. Jackson examined for the purpose.