

**ANNA MARIA BURMAN (1784-1835)**

**This is the last Will** and Testament of me Anna Maria Burman of Monkspath Street in the Parish of Tanworth in the County of Warwick Spinster being of sound and disposing mind memory and understanding. I give and devise unto my Sister Sarah Burman and her assigns all that my one undivided moiety or equal half part or share and all and every other my part and share parts and shares estate right and interest whether vested contingent or accruing of in and to all that messuage or tenement with the outbuildings and appurtenances and all those several closes pieces or parcels of arable land meadow and pasture ground thereto belonging and adjoining situate and being at or near Monkspath Street aforesaid in the said Parish of Tanworth containing about fifty acres (more or less) and now in the occupation of myself and my said Sister and also of in and to all that other messuage or tenement with the outbuildings and appurtenances and the several closes pieces or parcels of arable meadow and pasture land thereto belonging and adjoining also situate at or near Monkspath Street aforesaid containing about one hundred acres (more or less) and now in the occupation of William Taylor And all and singular other my parts shares messuages farms lands tenements hereditaments and real Estate whatsoever and wheresoever To hold the same unto my said Sister Sarah Burman and her assigns for and during the term of her natural life and from and immediately after her decease then I give and devise one equal undivided half part or share of all that my said undivided moiety or half part or share and of all and every (if any) other part and share parts and shares estate and interest (being one equal undivided fourth part or share of the entirety) of in and to all that the aforesaid messuage or tenement buildings closes lands hereditaments and premises situate at or near Monkspath Street aforesaid and now in the occupation of myself and my said Sister and of and in all and every the appurts to the same belonging unto Thomas Burman of Lady Lane and James Heynes of Warings Green both in the parish of Tanworth aforesaid Gentlemen their heirs and assigns To the uses upon the trusts and for intents and purposes hereinafter limited and declared of and concerning the same that is to say To the use of the said Thomas Burman and James Heynes their heirs and assigns for and during the natural life of my niece Mary Ann Lowe nevertheless upon trust to receive and take the rents issues and profits of the said last mentioned fourth part and premises when and as the same shall become due and payable and after paying and deducting thereout a proportionate part of the expenses of repairing and keeping in repair the said messuage buildings and premises and of insurance against fire to pay apply and dispose of such rents issues and profits or so much thereof as shall remain undisposed of for the purposes aforesaid into the proper hands of my niece Mary Ann Lowe for her sole and separate use and benefit exclusively of any husband with whom she may intermarry and so as the same may not be subject or liable to the control debts or engagements of any such husband and her receipt alone shall be a sufficient discharge for the same notwithstanding any coverture And from and immediately after the decease of my said niece Mary Ann Lowe To the use of all and every the child and children of the body of my said niece Mary Ann Lowe lawfully to be gotten their heirs and assigns for ever to take as tenants in common and not as joint tenants and in case there shall be but one such child then to the use of such one child his or her heirs and assigns for ever and in case there shall not be any child of the body of my said niece Mary Ann Lowe or being such and all of them shall happen to die in the life time of my said niece Mary Ann Lowe without leaving lawful issue him her or them surviving then from and immediately after the decease of my said niece Mary Ann Lowe To such

uses upon such trusts and for such ends intents and purposes and with under and subject to surer powers provisoes declarations and agreements and charged and chargeable in such manner and form as she the said Mary Ann Lowe whether covert or sole and notwithstanding any coverture by any deed or deeds instrument or instruments in writing with or without power of revocation and new appointment to be by her signed sealed and delivered in the presence of and attested to by two or more credible witnesses or by her last Will and Testament in writing or any Codicil or Codicils thereto or any writing in the nature of or purporting to be her last Will and Testament or Codicil to be by her signed sealed and published in the presence of and attested in her presence by three or more credible witnesses shall from time to time or at any time or times direct limit or appoint give or devise the same And in default of any such direction invitation or appointment gift or devise being made and so far as any such shall not extend to the use and behoof of all and any my nephews and niece Richard Lowe Samuel Lowe John Lowe Charles Lowe Henry Lowe Thomas Lowe and Elizabeth Lowe and their several and respective heirs and assigns equally to be divided between or amongst them as tenants in common and not as joint tenants And I give and devise the other equal undivided half part or share of all that my said one undivided moiety or half part or share and of all and every (if any) other my part or share parts or shares estate and interest being another undivided fourth part or share of the entirety of and in all that the aforesaid messuage or tenement buildings closes land hereditaments and premises situate at Monkspath Street aforesaid and now in the occupation of my self and my said Sister and of and in all and every the appurtenances to the same belonging unto the said Thomas Burman and James Heynes their heirs and assigns To the uses upon the trusts and for the intents and purposes hereinafter limited and declared of and concerning the same that is to say To the use of the said Thomas Burman and James Heynes their heirs and assigns during the natural life of my niece Elizabeth Lowe nevertheless upon trust to receive and take the rents issues and profits thereof when and as the same shall become due and payable and after paying and - thereout the proportionate part of the expences of repairing and keeping in repair the said messuage buildings and premises and of the insurances against fire to pay apply and dispose of such rents issues and profits when and as the same shall be received or so much thereof as shall remain undisposed of for the purposes aforesaid into the proper hands of my said niece Elizabeth Lowe for her sole and separate use and benefit exclusively of any husband with whom she may intermarry and so as the same may \_ subject or liable to the control debts or engagements of any such husband and her receipt alone shall be a sufficient discharge for the same notwithstanding any coverture And from and immediately after the decease of my said niece Elizabeth Lowe To the use of all and every the child and children of the body of my said niece Elizabeth Lowe lawfully to act as tenants in common and not as joint tenants and in their several and \_ heirs and assigns for ever and in case there shall be but one such shall then to the use of such one child his or her heirs and assigns for ever. And in case there shall not be any child of the body of my said niece Elizabeth Lowe or being such and all of them shall happen to die in the life time of my said niece Elizabeth Lowe without having any such him her or them surviving her from and immediately after the decease of my said niece Elizabeth Lowe To such uses upon such trusts and for such ends intents and purposes with under and subject to such powers provisions declarations and agreements and charged and chargeable in such manner and form as she the said Elizabeth Lowe whether covert or sole and notwithstanding any coverture by any deed or deeds instrument or instruments in writing with or without power revocation and new appointment to be

by her signed sealed and delivered in the presence of and attested by two or more credible witnesses or by her last Will and Testament in writing or any Codicil or Codicils thereto or any writing in the nature of or purporting to be her last Will and Testament or Codicil to be by her signed sealed and published in the presence of and attested in \_ by three or more credible witnesses shall from time to time direct limit or appoint give or devised the same And in default of any such direction limitation or appointment gift or devise being made and so far as any such shall not extend to the use and behoof of all and every my said nephews and niece Richard Lowe Samuel Lowe John Lowe Charles Lowe Henry Lowe Thomas Lowe and Mary Ann Lowe and their several and respective heirs and assigns equally to be divided between or amongst them as tenants in common and not as joint tenants And to for or upon no other use trust intent or purpose whatsoever And as to for and concerning all that my said undivided moiety or equal half part or share of and in all that the said message or tenement outbuildings closes land hereditaments and premises at or near Monkspath Street aforesaid now in the occupation of the said William Taylor with the timber standing thereon and all the rights members and appurtenances belonging thereto I give and devise the same and every part thereof unto and to the only proper use and behoof of my said nephew Richard Lowe his heirs and assigns for ever subject nevertheless and I do hereby charge and make subject the same with and to the payment of the sum of one thousand and four hundred pounds to be raised and paid within twelve calendar months next after the decease of my said Sister to the trustees of my personal estate hereinafter named in and of the same as hereinafter expressed And I give and bequeath all my goods plate linen china cattle farming and other effects whatsoever which may happen to be in and about the house land and premises which I may occupy at the time of my decease unto my said nephews John Lowe and Henry Lowe their executors and administrators upon trust to permit and suffer my said Sister Sarah Burman to use and enjoy the same for the term of her natural life and from and after her decease I give and bequeath all the said goods plate linen china cattle and effects (the use and enjoyment whereof I have given to my said Sister for her life as aforesaid) unto and equally between my said niece Mary Ann Lowe and Elizabeth Lowe their executors and administrators absolutely share and share alike and I give and bequeath unto my said nephews John Lowe and Henry Lowe their executors administrators and assigns all and singular my monies securities for money debts to me owing chattels and other personal estate and effects not hereinbefore by me disposed of subject nevertheless to the payment of my debts funeral expenses and the charges of proving and executing this my Will upon trust that they the said John Lowe and Henry Lowe or the survivor of them or the executors or administrators of such survivor do and shall convert all such part of the said residue of my said personal Estate into money as may not consist of money or securities for money at the time of my decease and invest the whole thereof in their or his names or name in or upon such securities as they or he shall think proper and do and shall pay to or permit and suffer my said Sister Sarah Burman to receive and take the interest dividends and proceeds of all such trust monies and securities for money for and during the term of her natural life and from and after her decease do and shall stand possessed of and interested in all the said trust monies stocks funds and securities upon the trusts and for the intents and purposes hereinafter expressed and declared of and containing the same And I give and bequeath unto the said John Lowe and Henry Lowe their executors administrators and assigns the said sum of one thousand and four hundred pounds herein before charged upon and payable out of any part and share hereditaments and premises hereinbefore devised to the said Richard Lowe To

hold the same upon and for the trusts intents and purposes hereinafter expressed and declared of and concerning the same And it is my Will and desire and I do hereby direct that from and after the decease of my said Sister then the said John Lowe and Henry Lowe their executors and administrators shall stand and be possessed of and interested in all and every the monies to arise and be by them received from the residue of my said personal Estate and so to be invested as aforesaid and also of and in the said sum of one thousand and four hundred pounds hereinbefore bequeathed to them and charged and payable as aforesaid and also of and in the accruing interest dividends and proceeds thereof upon and for the trusts intents and purposes hereinafter expressed and declared of and concerning the same that is to say upon trust that they the said John Lowe and Henry Lowe and the survivor of them his exors and administrators do and shall call in and receive the same monies respectively and pay retain distribute and divide the same or otherwise do and shall assign and transfer the stocks funds and securities whereon the same shall be invested into and equally between and amongst my nephews the said Samuel Lowe John Lowe Charles Lowe Henry Lowe and Thomas Lowe or such of them as shall be living at the time of my decease and the issue of such of them as shall be then dead leaving issue and to their respective executors administrators and assigns to take as tenants in common and not as joint such tenants provided always that the issue of any of my said nephews which shall be then dead leaving issue shall have and take equally between and amongst them as tenants in common the part and share and parts and shares only to which his her or their deceased parent or parents would have been entitled if living and do and shall pay assign and transfer the same unto and amongst such issue when and as they shall respectively attain the full age of twenty one years and do and shall pay and apply the interest dividends and proceeds of their respective shares in the mean time in for and towards the maintenance education and support of such issue And I do hereby give bequeath and dispose of all and singular the said trust monies interest dividends and proceeds stocks funds and securities accordingly And it is my will and I do hereby direct that it shall be lawful for my said trustees and \_ for the time being acting in the execution of the aforesaid trusts to call in vary and change the securities in or upon which all or any of the part of the aforesaid trust monies may happen to be used and plan out the \_ again on other securities whether of a similar nature or not and acting in their or his discretion and to change and alter the same again as often as they or he shall think proper so as do all which now securities shall be hold under and subject to the same trusts as the original securities were holden And I do hereby direct that the several trustees of this my Will or the survivor of them or the heirs executors or administrators of such survivor shall not be answerable or accountable for more of the said trust monies writs and effects than they or he shall respectively actually receive by virtue of the trusts hereby in them reposed nor with or for the loss of the said trust monies writs or effects or any part thereof from any course whatsoever unless the same happen by or through their or his wilful neglect or default nor shall the one of them be charged or chargeable with the receipts acts or neglects of the other of them but each of them for his own separate receipts acts or neglects only And I do hereby direct and declare that the receipt or receipts of my said trustees or trustee for the time being for all monies paid to them as such trustees as aforesaid shall be a sufficient discharge and discharges to the persons paying the same and that such person or persons shall not be answerable or accountable for the application or nonapplication of such monies or any part thereof and that it shall be lawful for my said trustees respectively and the survivor of them and the heirs executors administrators and assigns of such survivor out of the said trust monies writs and

promises from time to time to reimburse themselves and each and every of them all such costs charges and expenses as they or any or other of them shall be put unto or sustain by virtue of the trusts hereby in them respectively reposed and a reasonable compensation for their and each of their trouble and loss of time in and about the execution of the aforesaid trusts And lastly I do hereby nominate and appoint my said Sister Sarah Burman and the said John Lowe and Henry Lowe Executrix and Executors of this my Will hereby revoking and making void all former and other wills by me made. I declare this to be my last Will and Testament only In witness whereof I the said Anna Maria Burman the Testatrix have to this my last Will and Testament contained on nine sheets of paper to the eight first sheets thereof set my hand and to this ninth and last sheet my hand and seal the second day of October in the year of our Lord one thousand eight hundred and thirty. Anna Maria Burman. Signed sealed published and declared by the above named Anna Maria Burman the testatrix as and for her last Will and Testament in the presence of us who have subscribed our names as witnesses thereto in her presence at her request and in the presence of each other the word "land" having been first erased in two places and the word October having been first interlined in this sheet. Wm Welch Lea Solr. Henley in Arden. William Endall Clerk to Mr Lea. Charles Chambers of Monkspath Street.

**This is a Codicil** to the Last Will and Testament of me Anna Maria Burman of Monkspath Street in the Parish of Tanworth in the County of Warwick Spinster which bears date the second day of October one thousand eight hundred and thirty. Whereas I have in and by my said Will given and devised to or for the benefit of my niece Mary Ann Lowe and her issue one undivided fourth part or share of and in my messuage lands and hereditaments situate at or near Monkspath Street aforesaid and then in the occupation of myself and my sister Sarah Burman And I have by my said Will charged my undivided moiety of the messuage farm and lands thereby devised to my nephew Richard Lowe with the payment of the sum of one thousand and four hundred pounds as in my said Will is particularly expressed And whereas since the date and publication of my said Will my said niece Mary Ann Lowe hath departed this life without having been married Now I do by this writing which I declare to be a Codicil to my said Will and do direct that it shall be deemed part thereof I give and devise all that one undivided fourth part or share of and in the first mentioned messuage lands and hereditaments and which by my said will I had devised to or for the benefit of my said late niece Mary Ann Lowe and her issue from and after the death of my said Sister unto my trustees Thomas Burman and James Heynes in my said Will named their heirs and assigns in trust and for the benefit of my niece Elizabeth Lowe and her issue subject to the Estate for life of my said sister therein in such and the same manner and with under and subject to such and the same powers provisos and contingencies in all respects as I had by my said Will devised the same to my niece Mary Ann Lowe and do and in such manner as if the name of the said Elizabeth Lowe had been originally inserted in my said Will instead of the name of her sister the said Mary Ann Lowe deceased and with such ultimate limitation in favor of my nephews and their heirs as tenants in common (but exclusive of the said Richard Lowe and Elizabeth Lowe) as in my said Will is expressed. And I do hereby give and devise undivided fourth part and share accordingly And I give and bequeath unto my said niece Elizabeth Lowe her executors and administrators after the decease of my said sister All such part and share of my goods plate linen china cattle and other effects which in and by my said Will I had given to or intended for my said niece Mary Ann Lowe which said devise and bequest I do hereby intend to make in favor of

my said niece Elizabeth Lowe in addition to the personal devises and bequests contained in her favor or her benefit in my said Will. And I do hereby revoke the bequest of the said sum of one thousand and four hundred pounds in and by my said Will charged upon and made payable out of my said undivided moiety of the messuage farm lands and other hereditaments by me thereby devised to my nephew the said Richard Lowe and in lieu and by way of substitution thereof I do hereby charge and make subject such moiety and hereditaments with the payment of the sum of eighty hundred pounds and which said sum of eight hundred pounds I do direct shall be raised out of the same moiety and hereditaments and paid to or applied for the benefit of such are the same persons and at the same time as I had bequeathed the revoked legacy or sum of one thousand and four hundred pounds and I do appoint my said Nephew Richard Lowe an Executor of my said Will in addition to the Executors therein named and I do in all other respects whatsoever ratify and confirm my said Will. In witness whereof I the said Anna Maria Burman have to this Codicil to my said Will contained on two sheets of paper to the first sheet thereof set my hand and to the second and last sheet my hand and seal this twenty second day of November in the year of our Lord one thousand eight hundred and thirty four. Anna Maria Burman. Signed sealed published and declared by the above named Anna Maria Burman as and for a Codicil to her last Will and Testament in the presence of us who have subscribed our names as witnesses in her presence at her request and in the presence of each other. Wm Welch Lea Solr. Henley in Arden. Chas. Chambers of Monkspath Street. William Sampett Servant to Mr Lea.

**Proved** at London with a Codicil 19th May 1835 before the Judge by the oaths of John Lowe and Henry Lowe the Nephews two of the Exors named in the Will and Richard Lowe the Nephew also the Exor named in the Codicil to whom Admon was granted having been first sworn by commision duly to administer power reserved of making the like grant to Sarah Burman Spinster the sister the other Exor named in the Will if she shall apply for the same.