

## THE WILL OF MARGARET BURMAN (1790-1857)

**This is the last Will and Testament** of me Margaret Burman of Brookhouse in the parish of Tanworth in the County of Warwickshire Spinster. I wish to be buried as near to my late sisters as conveniently may be. I direct that all my just debts funeral expenses and the expenses costs and charges of proving and carrying out the Trusts of this my Will shall be paid by my Executors hereinafter named as soon as conveniently may be after my decease. I will and direct that my Trustees as hereinafter named do retain and stand possessed of the sum of three hundred pounds upon the trusts hereinafter named that is to say upon Trust to invest the same in their names as in the names of the survivors of them in or upon the public works funds or securities or on Government or Freehold or Leasehold securities of the United Kingdom of Great Britain and Ireland with liberty to change the investment at their discretion for any other or others of the description aforesaid and to accumulate the income arising from such investments and again to invest such accumulations on the security or securities aforesaid until the three children of my late niece **Margaret Greaves** [*Greves*] shall attain the age of twenty one years or in the event of the death of either of such three children till the youngest of such surviving three children shall attain the age of twenty one years and on the event of the youngest or surviving child attaining the age of twenty one years upon trust to call in and pay distribute and divide the said sum of three hundred pounds and all accumulation of interest and dividends arising therefrom unto and equally between and amongst the said three children of my said niece **Margaret Greaves** or such of them as shall be then living to whom I give and bequeath the same accordingly but in the event of neither of such children living to attain the said age of twenty one then I direct the said sum of three hundred pounds and all accumulations thereof to fall into and become part of my residuary estate. I give and bequeath to each of my nieces **Esther Burman** wife of my nephew **Thomas Burman** of Beaumonts Hill in the parish of Tanworth aforesaid and **Elizabeth Burman** daughter of my late brother **Richard Burman** of Houndsfield in the parish of Kings Norton in the County of Worcester a legacy of three hundred pounds each sterling such legacies to be payable and paid within twelve calendar months next after my decease. I give and bequeath unto my nephew **Thomas Tertius Burman** [*Tertius Thomas*] son of my late brother **Thomas** a legacy of fifty pounds sterling, the same to be paid within twelve calendar months after my decease. I give and bequeath unto **Mrs Dorothy Jackson** and to **Mrs Esther Bannister** a legacy of five pounds sterling each such last two legacies to be paid within two calendar months next after my decease. I bequeath to the General Hospital at Birmingham in the County of Warwickshire a legacy of nineteen pounds and nineteen shillings. I bequeath to the Deaf and Dumb Asylum at Birmingham aforesaid a legacy of nineteen pounds and nineteen shillings. I bequeath to the Blind Asylum at Birmingham aforesaid a life legacy of nineteen pounds and nineteen shillings. And I direct that the said three last legacies shall be paid at the expiration of twelve calendar months next after my decease and without interest in the mean time to the Treasurers for the time being of the said Institutions to be applied to the general purposes thereof respectively. And I direct that the said legacies shall be paid out of such of my personal estate as may be legally devoted to charitable purposes. I give and devise all that messuage tenement or dwellinghouse called the Brookhouse in the parish of Tanworth aforesaid with the lands and other premises thereto adjoining and belonging and now in my own holding or occupation unto my nephew **William Burman**, son of my late brother **Thomas** his heirs and assigns for ever subject nevertheless to and chargeable with the payment by my said nephew **William Burman** his heirs or assigns within twelve calendar months from the time of my decease of the sum of six hundred pounds sterling which said sum of six hundred pounds I direct shall fall into and become part of my personal estate. I give and devise all that messuage tenement or dwellinghouse land hereditaments and

premises called Rotten Row in the parish of Knowle in the County of Warwickshire and now in the occupation of Henrietta Wheeler as my Tenant unto my brother **John Burman** his heirs and assigns for ever subject nevertheless and chargeable with the payment to my Executors of the sum of six hundred pounds to be paid and payable within twelve calendar months next after my decease which said sum of six hundred pounds I direct shall fall into and become part of my personal estate. But in case my brother **John Burman** shall die during my life time then I devise the said last mentioned hereditaments and premises unto his son my nephew **Thomas Burman** his heirs and assigns for ever subject nevertheless to and charged with the payment by my said nephew **Thomas Burman** his heirs or assigns within twelve calendar months next after my decease of the said sum of six hundred pounds to my executors as hereinbefore directed and also subject to the payment of the further sum of one hundred and fifty pounds to his niece **Ann Mary Burman** daughter of his late brother **William Smith Burman** to whom in the event of my brother departing this life in my life time I give and bequeath the same. I give and devise to my said nephew **Thomas Tertius Burman** son of my late brother **Thomas Burman** all that messuage tenement or dwellinghouse Blacksmiths Shop Garden and piece of land thereto adjoining and belonging hereditaments and premises situate at Salter Street near to Brook House aforesaid and in the parish of Tanworth aforesaid late in the occupation of Joseph Bissell to hold the same to my said nephew **Thomas Tertius Burman** his heirs and assigns for ever. I give and devise unto my nephew **Richard Burman** son of my said late brother **Richard Burman** of Houndsfield aforesaid all that messuage tenement or dwellinghouse closes or parcels of land hereditaments and premises situate in the parish of Kings Norton in the said County of Worcester and now in the occupation of Richard [?] to hold the same with the appurtenances to him my said nephew **Richard Burman** his heirs and assigns for ever subject nevertheless and chargeable with the payment to my executors of the sum of one hundred pounds to be paid within six months after my decease which I direct shall fall into and become a part of my residuary estate but in case my said nephew **Richard Burman** shall die during my lifetime I devise the said last mentioned hereditaments and premises unto my said last mentioned nephews oldest son his heirs and assigns for ever subject nevertheless to and chargeable with the payment of two hundred pounds unto and equally between his brothers and sisters on their respectively attaining the age of twenty one years to whom in the event of their father's death in my lifetime I give and bequeath the same. I give all my plate and jewells unto and equally between my nieces **Sarah, Ann, Margaret and Hannah Burman**, four of the daughters of my said late brother **Thomas Burman** and my niece **Elizabeth Burman** daughter of my said late brother **Richard Burman**. I direct my executors to find and provide out of my personal estate one suit of mourning to each of my servants who shall be living with me at the time of my decease. I give and bequeath all my household furniture farming stock china linen and other household effects Canal and other shares monies out on mortgage and ready money together with all other my real and personal estate and effects whatsoever and wheresoever the same may be unto my Trustees and Executors hereinafter named upon trust to divide my household furniture china and linen and to collect and get in all monies that may be owing to me and to sell and absolutely dispose of either by public auction or private contract any other real and personal estate property and effects and to stand possessed of the monies to arise from such collecting in and conversion upon trust after paying the legacies debts and expenses as aforesaid to divide the same equally between all my nieces and nephew who are daughters and son of my late brother **Thomas** who shall be living at the time of my decease share and share alike but I expressly direct and desire that my said two nephews **Thomas Tertius** and **William** sons of my late brother **Thomas** shall not participate in or take any share of such my residuary estate arising therein before bequeathed to their sisters and brother. I devise and bequeath all real estates vested in me as Trustee or Mortgagee subject to

the equities affecting the same unto my Trustees hereinafter named. I appoint my said brother **John Burman** and my nephew **Richard Burman** of Houndsfield aforesaid and **Thomas Tertius Burman** to be the Trustees and Executors of this my Will and it is my wish for them to employ my present Attorney Mr Tarleton in carrying out and executing the trusts of this my Will and declare that the receipts of my said Trustees or the survivor of them and of the Trustee or Trustees to be hereafter appointed under the clause therein before contained shall exonerate all persons paying or transferring monies or funds to such Trustee by virtue of this my Will from all liability in respect of the application thereof. And I further declare that my said Trustees and the Trustee or Trustees to be hereafter appointed shall not be answerable or accountable for each others arts defaults or receipts nor for the losses happening without their own respective default and that they shall be at liberty to retain and allow to each other exposures and reasonable allowance for loss of time without to the execution of the trusts and powers hereinbefore contained in this my Will. And I declare that if the said Trustees or either of them shall disclaim or they or either of them or any Trustee or Trustees to be appointed under this clause shall die or shall decline or become incompetent to act as Trustees or Trustee of my Will it shall be lawful for the Trustees or Trustee for the time being of my Will competent to act whether disclaiming or declining further to act or not or if none for the executors or administrators of the last deceased Trustee or any or either of such executors or administrators to nominate and appoint by an instrument in writing any person or persons to be Trustees or Trustee in the place of the Trustee or Trustees disclaiming dying declining or becoming incompetent to act. And I further declare that the clauses hereinbefore contained so far as they concern my Trustees hereinbefore named shall extend and be applied to the Trustees or Trustee for the time being of my Will. Lastly I revoke all former and other Wills by me at any time heretofore made and hereby declare this writing alone to be my last Will and Testament. In witness witness whereof I have to this my Will contained in five sheets of paper hereunto set my hand this fifth day of March in the year of our Lord one thousand eight hundred and fifty seven. **Margaret Burman**. - Signed published and declared by the above named Margaret Burman the Testatrix as and for her last Will and Testament in the presence of us who in her presence at her request and in the presence of each other have hereunto set our names as witnesses.  
R. Henry Tarleton Attorney Birmingham - Henry W. Tarleton his Clerk.

**Proved** at London 25th August 1857 before the Judge by the oaths of John Burman the brother and Richard Burman of Houndsfield and Thomas Tertius Burman the nephews the Executors to whom Admin was granted having been first sworn by commission only to administer.

Source: Ancestry/National Archives