

# Wills

By Jimmy Clulow

When you make a will you make history. A will is very personal, very private. I don't approve of anyone asking "Have you made your will?" I think that's a gross intrusion into a very private matter. However, having said that, wills from generations ago can give us an extraordinary opportunity to find out about the possessions and life-styles of past generations.

There are many varied ways of making a will. You can go into a post office and get a form and complete it and sign it. Or you can go to a lawyer and he will draw up a will for you for a small fee. And there are various other agencies that will help you if you contact them.

Now I've made a whole lot of wills. When I entered the Senior Service, (The Royal Navy) I was only a week in training when I had to go and make a will. There was this big room and half a dozen men behind tables and there were about 30 in the class that I was in. Each went up in his turn to make a will. So I said to this man "Now, I have nothing to leave." He said "Surely you have something?" So I thought to myself, "Well I have a bicycle but the back tyre is flat." "Well," he says, "leave it to somebody." So I left it to my ma and there was somebody around gathering scrap for the war effort and she must have given it to him because it disappeared. Well then I was on one of the 'T-Class' submarines and we were based at Rosythe. Every time you went out to sea in the submarine you had to make your will and that will was discarded when you came back again.

I remember a family living in Cloughhinney. The following is one of their wills. It is authentic although the names of the individuals have been changed.

*"I leave and bequeath to Jack Logan of Tullyear my loom that I used to weave, and my best suit of clothes to Jack's wife Edith, with my second suit to Mary McAnulty, wife of Frank. My feather bed to Agnes McAnulty, daughter of Frank. I leave to Jack Logan's*

*wife that shawl that lies over me. I leave to Patrick's wife, Roseanne, a coat and jacket. I leave to Edith my best outside petticoat.*

*I leave the quilts on my bed divided between Jack Logan and Mary McAnulty. I leave my two hats to Edith Logan and Rose Logan, one each. I leave my two tablecloths, and six pillowcases and six sheets to be divided between Mary McAnulty and Edith Logan. I leave my new boots to Mary McAnulty, her to pay 10/= to pay my debt that is required. Alice to get my shoes, my wearing boots, and my clogs. I leave the Sacred Heart picture to Sarah McAnulty; the other two pictures to Jack Logan. I leave to Sarah McAnulty my side dish. (that could have been one of those big willow patterned plates)*

*I leave the rest of my furniture both in room and kitchen to be divided between Jack Logan and Frank McAnulty. Jack to get the bellows. I leave my nineteen hens and goat to be sold to pay debt to Harry Mulligan. I leave Frank McAnulty and Jack Logan to be executors of my will"*

That will was written in 1890. Now there have been big changes since then and you don't really need an executor now. When I was a boy at school in Bessbrook the women used to wear red flannel petticoats and there was a cure in this red flannel for bronchitis. When their petticoat was worn out, they didn't throw it away, didn't discard it, they kept it for patches and for cures.

Now I came across an old book on the history of the Sturgeon family. One branch of the family lived around Killeavey - I believe "Sturgan Brae" gets its name from them. In this book there are several wills made by various members of the family:

A Sturgeon will made in 1750 went as follows

*" Samuel Sturgeon....., farmer, being sick and weak of body but perfect in mind and memory, praise be God for all his mercies, and knowing ye certainty of death and ye uncertainty of ye time thereof, do*

*make this my last will and testament in manner and form following, that is to say -*

*I give and bequeath my soul unto God who giveth me in sure and certain hope of ye resurrection at ye last day. My body I recommend to ye grave, to be decently buried as my executors of this my last will in their judgement shall find proper. I give and bequeath to my son Thomas Sturgeon all my real and personal estate wherever it may be found, after all the burial and just debts are fully satisfied and paid, reserving all such legacies that I shall hereafter mention. I give and bequeath unto my daughter Jean one great coat and one black gown and one camico paticcoat. (There's the petticoats again - note the spelling in this will; petticoats must have been valuable they're mentioned so often in the wills).*

*I do order my son Thomas to pay my daughter Jean £41 of the estate. If Thomas early recovers the note of £15 I gave him, it is to be allowed in ye above £41 and if he does not recover it, the above £41 must be paid by my son Thomas. I give and bequeath unto my daughter Sarah one feather bed and bedding of clothes for it. I order my son Thomas to pay my daughter Sarah £50 out of ye above estate and I order my son Thomas to keep my daughter Sarah in maintenance and clothing with schooling free of all costs until she comes of age. I give and bequeath unto my brother, Henry Sturgeon, my best street coat. I give and bequeath unto my brother Jeremiah Sturgeon one certain bay horse and saddle. I give and bequeath unto Mr. John Roan 40 shill, (not spelt shillings just shill) to be paid by my son Thomas.*

*I give and bequeath unto Samuel Sturgeon, a son of Jeremiah Sturgeon, one certain cow named Brownie Lisk and further I order that if my son Thomas should die before he comes of age that my plantation should go to my daughter Sara and the remainder of my effects to be divided equally between my daughter Sarah and my daughter Jean's children. Failing of children, it is to be divided between my daughters Jean and Sarah and if my daughter Sarah dies before maturity I order her part to be divided between my son Thomas and my daughter Jean, two parts of ye divide to my son Thomas. I do hereby constitute and appoint my true and loving friends, James Armstrong and Thomas Sturgeon, my sole executors of this my last will and testament. And I Samuel Sturgeon the testator have in the presence of those underneath*

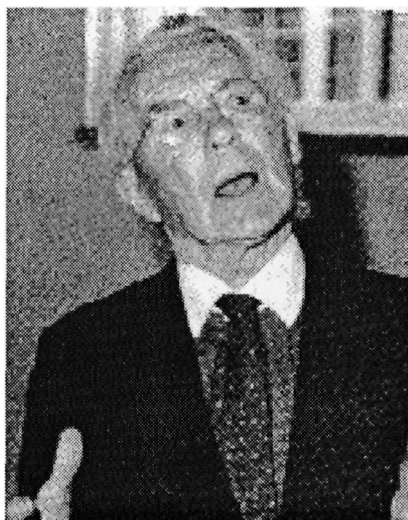
*witnesses pronounced this is my last will and testament.*

Another Sturgeon will made in 1801 contains the following

*"I also allow my negro wench, named Polly, to serve in my family for the term of 7 years from this date on condition that she behaves herself in a becoming manner. Otherwise I allow my executor to sell her for the said term.*

Many of the people who made these wills appear to be in ill health and not expected to live for long. They say " *they were sound of mind, memory and understanding*" and some of them died three years after they made the will. There was a man telling me about a family who he said " *were financially secure and they ate well and drunk well and they left plenty behind them.*" Surely the perfect way to be!

George Bernard Shaw was granted the freedom of the City of Dublin when he was 90 years of age and because of that gesture the National Gallery of Ireland continues to benefit magnificently under the terms of Shaw's will and the international success of 'My Fair Lady.' - based on Shaw's drama - 'Pygmalion'.



*Jimmy Clulow - a typical pose.*

One of the most famous characters of South Armagh was Squire Jackson whose will was so complicated that it needed an Act of Parliament to sort it out.

*“ In the name of God, amen. I Richard Jackson, of Fork-hill Lodge, in the county of Armagh, Esq., being of sound and disposing mind, memory, and understanding, do make and publish this, my last will and testament, hereby revoking all former and other wills by me heretofore made. I give and bequeath to my dearly beloved wife, to be by her disposed of, as she shall think proper, all my estate in the county of Cavan, subject to the sum of £20,000 Sterling, out of which sum of £20,000 good and lawful money of Great Britain, I order my debts and legacies to be paid, and the remainder, if any, of the said sum of £20,000 I leave to my executors upon trust.*

*I give and devise to my sister, Susannah Barton, widow and her daughter after her decease, all that remains my property in the city of Dublin, not subject to any debt at the time of my decease, and to their heirs for ever. I give and devise to the most Rev. the Lord Primate of all Ireland, the Right Rev. the Lord Bishops of Down, Connor, and Dromore, the rectors of the parishes of Fork-hill, Killeavy, Loughgilly, Creggan and Dundalk, and their successors, all my estate of Fork-hill upon trust and as trustees, for the uses herein after named, viz.: 1st that, upon my decease, the interest of the £20,000 charged upon my Cavan estates shall be regularly paid out of my Armagh estate, during the life of my ever dear wife; the remainder to be divided, after my wife has taken as much as she thinks proper for her ample accommodation, both of house, demesnes, and rent, into equal parts; I mean the rents to be equally divided, one half to be enjoyed by my sister and her daughter, and after their decease to the propagating the gospel; the other half to be expended in clothing and educating as many, as the fund will allow, children of the Church of Ireland, and in giving, at the age of twenty five years, to each five pounds and a loom, and a small holding in preference to other tenants who may offer. I would wish that such tenants should not get leases for lives, that they may not be debauched by the thirst or power of gold. I appoint my wife, sister, niece, the Rev. Thomas Woolsey, Jackson Wray, Jun, Esq., Thomas Reed, of Dundalk, Esq., and Daniel M'Dougall, executors of this last will and testament.*

*My will is, that after my wife's, sister's, and her daughter's decease, that half of Fork-Hill estate shall be employed in propagating the religion of our blessed Saviour, particularly in the east, by adding to the number of Danish and other protestant missionaries, as my said trustees, or any three of them, a bishop being one, shall think proper.*

*I give the infirmary of Dundalk £100; and I give to the rector of Fork-hill, for the time being, three guineas yearly, to be by him, or my executors, in his name, paid to said infirmary annually; the like sum of three guineas annually, to Armagh infirmary, I leave to him or my executors, to be paid in his name, or in the name of the curate, if the rector should reside elsewhere, as my intention is, that the resident clergyman should be a governor of each hospital, for the good of my fellow-creatures, who are destroyed by the advice of quack doctors.*

*I leave to Jackson Wray, jun., £100; the like to Daniel M'Dougall, my faithful servant; a year's wages to each of my servants; ten pounds yearly to Richard Gracey, and ten pounds to Thomas, his father, for his maintenance. I give to Mrs. Ann Boyd, of Wexford, £200 and after her decease to her nephew, my godson. I desire my executors may, with the advice of my trustees, apply the remainder of the £20,000 towards the defraying of my suits at law, that may be commenced on account of this will, without sale of my manor at Fork-hill, and in making a decent provision for honest old decayed tradesmen and farmers. I leave £100 to buy looms, to be given to the poorest of my tenants in my two manors; whose sons have served an apprenticeship of three years; and I leave a 100 great coats to the oldest of them at the time of my decease. In witness whereof, I have hereunto set my hand and seal, this 20th day of July, 1776.*

RICHARD JACKSON

*Signed, sealed, published, and declared by the testator, as, and for his last will and testament, in the presence of us, who in his presence, and the presence of each other, have hereunto subscribed our names as witnesses hereto,*

SAMUEL BUTLER, THOMAS BUNBURY, JOHN M'MULLEN.”

A storm recently felled a tree in Drumbo Parish Church, Ballylesson and therein lies a tale. That tree was as old as a certain former parishioner who is buried in the graveyard,- around 200 years . The pillar it demolished formed a private entrance to the church and graveyard for the man's family. You see some people had an entrance and a private door for the family such as the entrance for the Close family at St. Mary's Church in Drumbanagher. Well this man was James De Beer and he was very wealthy. The family of De Beers were Huguenots and they were great architects. James de Beer lived in Edenderry House at Ballylesson, a house built by his ancestor William de Beer in 1623. He donated land to the parishioners of Ballylesson to build their church, the previous one having been burned. It was a considerable gift at the time. It was James's wish that when he died he should be buried in the private entrance walk and his wish was honoured. He insisted that no stone or mark was to remain over his grave. He gave as his reason that those who might one day deny his heritage would be compelled to walk upon him throughout eternity.

In his will Mr. J.A. Gilliland, J.P. a retired school principal of Poyntzpass, left £6000 to the parish of Acton. However prior to the execution of this will the parish of Acton had united with the parish of Drumbanagher. In 1946 the union was dissolved to enable the parish of Acton to benefit from Mr. Gilliland's legacy

Wills sometimes become most contentious documents and where there is money or property there can be discontent. The story is told of a disputed will where a man who felt he should have benefited from a will consulted a solicitor. When he had told his story the solicitor said *"I'm too busy to take on your case but I will recommend you to another solicitor and I'll write you a letter of introduction."* So he wrote a letter and gave it to the man to take to the solicitor. So the man went home and next morning before going to the solicitor he thought he would steam open the letter. He was surprised to read *"I have a good fat goose to pluck and I am sending you another."* So instead of going to the solicitor the man went to the other party and they settled their differences among themselves.



*Lizzie Waddell and her daughter Mary at the door of their lock-keepers house.*