Chapter 5

a)1776 -1781 Owned by William Burton, Esq. b)1781- 1812 Owned by Lora Viscountess Downe

In which we learn about how the house passed into the Dawnay family; a winter of tragedy; a strong and loved woman who lived at Bookham for 35 years; the link to the Crusades and King Richard I; a complete survey of 1798 labelling every field ownership; and a Jamaican flowering plant

Spring 1781, and Lora was veiled and wearing black silk, which had been made by the Dalbiacs (although she was not aware of this, nor really of them, other than as a previous owner of her country estate). The black silk had sadly been well used this winter, she reflected. As she dabbed at her tears she found she was partly weeping for this funeral for 7 year old Lora, the second of her 2 daughters and her 5th child, but also for her husband, John and also for her father, William who had died either side of Christmas respectively.

It was a difficult time for her, but she took some comfort as she looked along the church pew at her surviving 5 children. There was John at the far end, who had newly inherited the title of 5th Viscount Downe in January upon her husband, John's death ¹. At 16 years old he would need guidance from her, but was old enough to offer her support too. Next to him sat Catharine, who at 12, almost 13, years old was developing into a confident young lady. Then 9 year old William, 4 year old Marmaduke and little 2 year old Thomas. Their grief could be seen on their pallid faces - in the space of a few months they had lost a grandfather, father and now their lovely 7 year old sister. Life had changed for them all.

ater, back home at Cowick Hall, the family seat in Yorkshire, she stood in the hallway and gazed at the portrait of her late father, and her mind drifted back to his career as a British Whig politician; he had sat in the House of Commons from 1730-1734 representing Ashwell and North Luffenham in



Cowick Hall ²

William Burton purchased North Luffenham Manor (Bassetts Manor) from Baptist Noel, 4th Earl of Gainsborough in 1729. He sold North Luffenham Manor to Sir Gilbert Heathcote, 3rd Baronet in 1764 4. Rutland, and he had also been a Commissioner of his

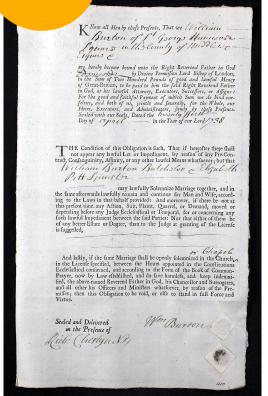
Majesty's Excise between 1737-1776, at which point he had been forced to retire due to ill health at the age of 81 3 .

This must have been the reason he had purchased the estate in Surrey, called Bookham Grove, in 1775 ³. It was to be his retirement in ease! He had moved in soon after the end of January 1776 $_{5}$.

Elizabeth (nee Pitt) was born in 1708 8. Lora shifted her gaze to the portrait of her mother, Elizabeth who had died some years earlier _{6, 7}. Note that all other histories state that it was purchased by Lord Downe but this is not correct, as witnessed by William Burton's will 6. He owned it for 5 years before he died 3

Lora

born Feb 1740 9, 10



Marriage notice for William Burton of Hanover Square 8

They had married on the 22nd April 1738, and on the 20th February of the following year she, Lora, their only child had been born.

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Marriage notice for William Burton of Hanover Square 8

William was living in some style at Bookham Grove as in 1780 he was taxed for 12 male servants, the largest number in Bookham 11.

Interestingly this was not his only property as his will, dated 4th January 1781, just before his death, states: 'I William Burton of Clifford Street, Burlington Gardens in the County of Middlesex, esquire, do make and ordain this my last will and testament in manner and form following' 6



He also paid £610 17 shillings for the furniture and contents worth some £1 million at 2019 values ¹²

ora silently thanked her father, he had looked after her, for when he had died in January 1781 he had left Bookham Grove to her, indeed it had all been put in her name in trust upon purchase 6.7. (There is no mention of his wife, Elizabeth, in the will, so she must have died prior to 1781).

'And whereas I have purchased a freehold and copyhold estate at Bookham in Surrey called Bookham Grove, and the said freehold permits have been conveyed to me and my heirs for ever, and the said copyhold premises have been surrendered unto my said daughter Viscountess Downe and her heirs, in trust for me and she hath in writing under her hand declared such trust

accordingly.

'Messuage' a medieval term meaning house and attached lands

devise my capital messuage or mansion house at Bookham Grove aforesaid, with

Now I do hereby give and

the offices, coach houses, stables and buildings thereunto belonging and so much and such part of my messuages, lands and hereditaments as are freehold with their appurtenances unto my said daughter Lady Downe for and during the term of her life, without impeachment of waste'

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P.6 From William Burton's Will 4th January 1781 6

This was a time when married females could not own property. Before 1870, any money made by a woman (either through a wage, from investment, by gift, or through inheritance) instantly became the property of her husband once she was married, with the exception of a dowry. Once a woman became married, she had no claim to her property, as her husband had full control and could do whatever suited him regarding the property. Married women had few legal rights and were by law not recognised as being a separate legal being - a feme sole.

In contrast, single and widowed women were considered in common law to be femes sole, and they already had the right to own property in their own names. Only the extremely wealthy were exempted from these laws - under the rule of equity, a portion of a married woman's property could be set aside in the form of a trust for her use or the use of her children. However, the legal costs involved in establishing trusts made them unavailable to the vast majority of the population $_{13}$.

he thought next about her husband, John, the 4th Viscount Downe, and how glamorous that had seemed to her as a 24 year old, when she had married him on May 20th 1763, and thus become Viscountess Downe ₁₄.

John Dawnay had succeeded his brother to become the 4th Viscount Downe in 1760. He was a Whig politician sitting in the House of Commons until 1774 $_{14}$.



She reflected on how settled they had been, living at Cowick Hall in Yorkshire, the family seat, with their 6 children $_{10, 14, 15}$:

- John Christopher Burton, born on the 15th November 1764
- William Henry Pleydell (died young as an infant)
- Catharine, born on the 23rd August 1768
- William Henry, born 20th August 1772
- \bullet Lora, born on the 17th June 1774 died as a child in 1781
- Marmaduke, born 26th July 1777
- Thomas, born 30th May 1779

That would change now as the Viscount title had passed to John Christopher Burton - her eldest son ¹. But because he had not yet attained his majority (21 years of age) he could not take up all the lands, estates and responsibilities. So it was Lora's responsibility as the Dowager Viscountess (she ruefully thought), to hold the power until November 1785 when John would attain his majority. This meant that they could stay living at Cowick Hall and their London property, but now they also had the estate at Bookham, which she rather liked and preferred - much more homely than the vast family seat in Yorkshire. The 6 of them could relax as a family more easily there - she would



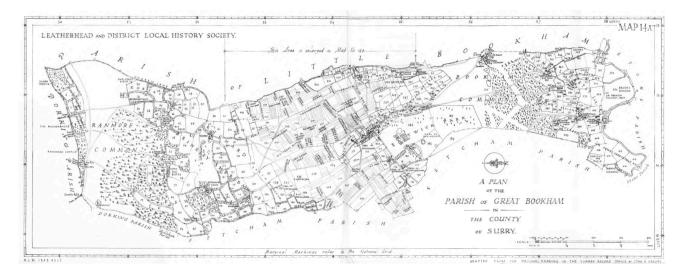
John Dawnay, 5th Viscount Downe at age 17. 1781. Thomas Gainsborough $^{\rm 1}$

have her hands full! But she needed to be strong to pull them all through this dreadful period. As she moved out of the hallway, she resolved to do just that!

Bookham Grove is described around 1789 by James Edwards, the topographer, as follows ₁₆:

"On the south is Bookham Grove the seat of Viscountess Downe. The house is a handsome brick building which appears of a modern erection, and executed in taste; adorned with suitable plantations, good gardens, etc., the greatest part of which is surrounded by spacious common fields"

A survey of the whole parish of Great Bookham was conducted in 1797-1798 by the well known firm of Spurrier & Phipps of London. Together with the reference book this map enables the owner and occupier of every parcel of land to be identified. The map measures 115 inches by 40 inches with a scale of 20 inches to a mile and is reported to have been surveyed with great accuracy 17.



Full Map of the Survey of Bookham 1797-1798 17

The estate had expanded from the 71 acres purchased by Charles Dalbiac in 1773 to 85 acres by 1798 ₁₇.

Lady Downe of Bookham Grove is shown as owning 85 acres and 2 Roods of land. This is marked with the following numbers on the maps: 151-154, 195, 217 White Hart Inn, 218 and 219) and in red on the second map ₁₇. She is noted as purchasing land after her admittance to the estate (Appendix B) Handwritten notes indicate that Lora purchased another 34 acres of land between 1786-1793 (Appendix B)



Lora Downe's signature from a letter written at Bookham Grove on October 23rd 1790 ¹⁹

In 1809 Manning and Bray state that Bookham Grove had 72 acres attached ¹⁸. So possibly the outlying fields are not being counted in this review, or it has not been updated



Enlarged central section of the Map of the Survey of Bookham 1797-1798. Red shows Lora Downe's ownership ¹⁷

Sq Pole = 30¹/₄ sq yards [often simply referred to as a Pole or Perch in land measurement]

Rood = $\frac{1}{4}$ acre = 1,210 sq yards = 40 sq poles

Acre = 4 roods = 10 sq chains = 4840 sq yards = Statute acre [0.40 hectare] [eg. a goodsized football pitch – but note that a Customary (or Saxon) acre was different, and that Scottish and Irish acres were different again] $_{20}$.

The Inn known as the White Hart Inn on the corner of Bookham Grove (now known as Grove Cottages) was renamed the Saracen and Ring in honour of one of John Dawnay's ancestors who had fought in the Crusades. The legend is that he slew a Saracen and also a lion and presented a paw to the King for which he was granted the right to bear a crest ₂₁.

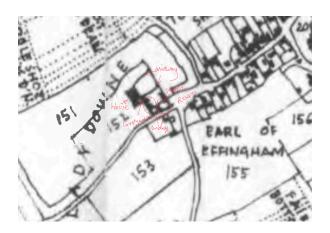
A copy of the ring given to Sir William Dawnay by Richard I King of England shortly after the battle of Acon is in the Downe family possession. The ring is inscribed 'This ring was given by Richard I King of England to Sir William Downe his General in the Holy Land as a reward for gaining a signal victory over the Saracens and taking a great prince their general prisoner in the 4th year of his reign 1193' $_{22}$.

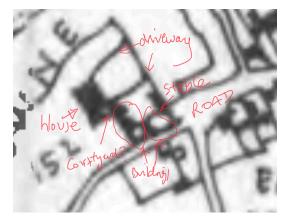
This ring is 'a somewhat massive silver ring, containing a talismanic gem, denominated a toadstone, which is still used as a charm in the East' 23. The Survey map of 1797-8 can be compared with the survey completed by Thomas Clay in 1614-1617. From this comparison it can be seen that:

'Remarkably little change had taken place in the general distribution of land use since 1617, but the large park of Eastwick, the terraced garden at Polesden, and the smaller estate of Bookham Grove have taken over for private enjoyment considerable areas of agricultural land' 17.

The process of this taking place can be traced through the Abstract of the Title Deeds in Appendices A and B

ote that from the drawing of Bookham Grove enlarged below to 2 levels the buildings layout may be discernible - particularly the kitchen courtyard noted in the sales particulars of 1773.





Lady Downe was keen on her plants: A note in Curtis's Botanical Magazine, Vol 13 (1799), plate 451, concerning Blakea Trinervia introduced from Jamaica in 1789:

"Our figure was drawn from a very fine healthy plant which flowered in the collection of Lady Downe, at her villa of Bookham Grove, near Leatherhead, in April 1799." 24, 25.

B ookham Grove would have rung to the sounds of children playing in the house and grounds, particularly in the early years, but by 1800 they had grown up and probably left home.



The specimen drawn from Lady Downe's plant at Bookham Grove 1799 ²⁵

ora Burton Dawnay, Viscountess Downe died at her house in Charles Street, near Berkeley Square, London, at midnight on the 24th April 1812 after an illness of 3 weeks, at the age of 72 years. All 5 of her surviving children were present with her, along with 3 of her 'old and faithful attendants' ²⁶.

Lora's obituary, detailing her character and particulars 27

"She was a good daughter, a good wife, a good mother, and a good mistress: and, in return, she was happy in those several relations of private life.

She inherited no small portion of the manly vigour of her father's understanding, and all his integrity. To personal attractions, she added suavity of manners and a healthful flow of spirits. She was endeared to those who knew her best, by the strongest ties of affection and respect. A real, unpretending, and almost unconscious good sense, and a firm desire to act right upon every occasion, to the best of her judgement, were her most distinguishing characteristics.

Activity of mind and body; sound health; cheerful manners; the open confidence of an honest mind; the lively serenity of an easy conscience; with a benevolent disposition, and hereditary personal graces both of form and face, which even in age had not disappeared, complete her picture.

Those who knew her best, most highly prized her. The most illustrious members of the House of Pitt, had they known her, might have been proud of their kinswoman. And she reflected all the lustre that virtue can reflect, upon the ancient and honourable family into which she married. And if at any one time she appeared greater than at another, the unaffected magnanimity of her closing scene marked that for the period." ²⁷.

It is noted in her obituary that she "resided at her seat called Bookham Grove, in the county of Surrey, alternately, with her house, 11 Charles Street, Berkeley Square, for a period of more than 35 years - happy and respected" ^{26, 27}. Lora had made Bookham Grove her home.



Memorial to Lora Burton Dawnay, Viscountess Downe in York Minster ₂₆

She is buried with her husband in St Laurence Priory churchyard in Snaith, East Riding of Yorkshire ⁸.

> There is a plain tablet in St Nicholas' church in Great Bookham on the north side of the nave:

> 'In memory of a good mother, the Right Hon. Lora, Viscountess Downe, of Bookham Grove in this parish. She was the only daughter of William Burton, of Luffenham in Rutland, by Elizabeth, daughter of George Pitt and Lora Grey, of Kingston, in Dorset. She was the wife, and for upwards of 31 years the surviving widow, of John Dawnay, fourth Viscount Downe, of Cowick Hall in Yorkshire. She was born Feb. 20th, 1740: married May 20th, 1763. - Lord Downe, died December 21st. 1780, aged 52. - Mr Burton, died March 6th, 1781, aged 89. - Lady Downe, died April 25th, aged 72. She was a good daughter, a good wife, and a good mistress; and was endeared to those who knew her best, by the strongest ties of affection and respect. Lord and Lady Downe were buried at Snaith, in Yorkshire."

n her will, made on the 21st April, just before her death, she leaves Bookham Grove and all the contents to her son Marmaduke ²⁸:

And as to the said capital messuage or mansion house called Bookham Grove with the offices, coach houses, stables, buildings and appurtenances thereunto belonging, and the said freehold and copyhold lands and hereditaments at Bookham Grove aforesaid. I do in further pursuance and exercise of the power and authority hereinbefore recited or mentioned and by force and virtue of all and every other power give, direct, limit and appoint that the trustees whereof named in and by the said will of the said William Burton shall from and immediately after my decease convey the same unto and to use of my said son Marmaduke Dawnay his heirs and assigns, or otherwise shall and do pay and apply the money arising by sale thereof unto him the said Marmaduke Dawnay, his executors, administrators and assigns. And for his and their own use and benefit I also give and devise unto and to the use of my said son Marmaduke Dawnay, his heirs and assigns all and every the houses, lands and tenements situated and being in the parish of Great Bookham in the said county of Surrey which have been purchased by me since the death of my said father.

I give and bequeath unto my said son Marmaduke Dawnay all my household furniture, movables, books, stores in the cellars and live and dead stock or whatsoever in and about the said mansion dwelling house called Bookham Grove ²⁸.

Excerpts from Lora Downe's Will, 21st April 1812 (see Appendix C) ²⁸

I give and bequeath unto my oldest son John Christopher Burton Dawnay Lord Viscount Downe in the kingdom of Ireland, all my furniture, pictures, goods and movables whatsoever in my dwelling house situated in Charles Street near Berkeley Square, and all my diamonds except my plate, watches and miniature picture of my father, and except my service and china in the said house.

I give to my daughter Catherine Dawnay my gold watch set with diamonds and I also give to her all my linen and china which shall be in and remains in my said dwelling house at the time of my death and also my post chaise.

I give to my son William Henry Dawnay the miniature picture of my father and my ????ting watch.

[With reference to the 'capital sum stock or fund of important bank annuities']:

And I do hereby give and bequeath £10 000 part thereof unto my son Thomas Dawnay. £1000 further part thereof unto my daughter Catherine Dawnay on account of her recent loss by the failure of her ??? {Suitors}. And £4000 under thereof to my son Marmaduke Dawnay. Relative income value amounts in 2019: 12 £10 000 = @£10M £7000 = @£7M £4000 = @£4M

I do by this my last will and testament, signed, sealed and published by me in the presence of and attested by the three credible persons whose names are witness to be hereafter written as witnesses give, divest, limit and appoint unto my said daughter Catherine Dawnay the sum of £6000

Memorandum. April 12 1812. I give to my daughter the Honorable Catharine Dawnay in addition to what I have already given her, the saddle horse which she usually rides and also the horse usually rode by her servant who attends her, and the saddles and bridles in general use with them.



Dawnay family crest. Timet Pudorum (He fears shame) ²⁹

The Dawnay family Seats:

- Cowick Hall (Snaith, Yorkshire) principal seat
- Baldersby Park (Thirsk, Yorkshire)
- Danby Lodge (Whitby, Yorkshire)
- Bookham Grove (Surrey)

Later additional seats:

- Wykeham Abbey (Yorkshire) In 1909 became the principal family seat ³⁰.
- Beningborough Hall (Yorkshire)

William Burton's bill for conveyancing Bookham Grove 1776³¹

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References and Notes

- 1. https://en.wikipedia.org/wiki/John_Dawnay,_5th_Viscount_Downe
- 2. <u>https://en.wikipedia.org/wiki/Cowick_Hall</u> © Copyright <u>Gordon Kneale Brooke</u> <u>gkandpe@aol.com</u> Licensed for reuse under the Creative Commons Attribution-ShareAlike 2.0 license
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