

1: The chequered fortunes of the House of Dineley-Goodere

In 1841 Charles Knight, the printer and proprietor of the *Penny Magazine*, recalled his early days at Windsor, where his father was a bookseller. Among his recollections was the sight of one eccentric knight of Windsor, a pensioned aristocrat living out his days on the charity of the crown. Wearing a threadbare cloak called a roquelaure, the old man hobbled through the castle gate to run his errands in the town. On a pension of £60 a year, the man was parsimonious. His one extravagance, it seems, were his overtures of marriage to potential maids and matrons, printed on his own press. He claimed to be the owner of the Charlton estate in Worcestershire and worth a phenomenal £375,000, and he was prepared to press his claim to any lady of a hundred guineas in fortune. ‘As the prospect of my marriage has most increased lately,’ he declared, ‘I am determined to take the best means to discover the lady most liberal in her esteem by giving her fourteen days more to make her quickest steps towards matrimony.’¹

Insert pic ch1-1 (Sir John Dineley)

‘Miss in your teens,’ he wrote in 1802, ‘let not this sacred offer escape your eye.’ Become the ‘mother of a noble heir’, although at the age of 73 one wonders whether he was up for it.² Had a potential suitor encountered him at one of the festive parades of Windsor, she would have witnessed a man rooted in the mid-eighteenth century, attired in an embroidered coat, a silk-flowered waistcoat, velvet breeches and a newly powdered wig that was the worse for wear. He was Sir John Dineley, the fifth baronet of Charlton, an estate that had long passed into other hands. He could only dream of large acres and imposing mansions without a suitable match, and the prospects of obtaining one was the only thing that kept him alive.

Sir John Dineley was by birth a Goodere, the second of two twins to a naval captain who is one of the central characters in this drama. The name Dineley was one acquired by his uncle when he inherited the estates of his mother, a daughter to the Earl of Rockingham, one of the leading Whig families in the country. This uncle, Sir John Dineley-Goodere, is another central character, for he was murdered by the eccentric knight's father. How the Windsor knight lived with this fratricide is unclear although it is likely that it drove his twin brother insane and took his mother to an early grave.³ Sir John was only eleven years old when it happened and he became embroiled in the property disputes surrounding it until his forties. On one memorable occasion, in 1771, he had summoned the copyholders of Charlton and proclaimed that he was the true lord of the manor because his father had been cheated out of his inheritance there by his unscrupulous uncle.⁴

When he was born, in 1729, the Dineley-Goodere family was one to be reckoned with. His grandfather had recently retired as one of the two knights of the shire for Herefordshire. His father and two uncles had all been JPs and the latter were soon to be mayors of nearby towns.⁵ The extended family was well situated in commerce, the navy, and in the landed society of the South-West. Yet when he died in 1809, aged eighty, Sir John Dineley was the last of the line of baronets and the family fortune had disappeared. In four generations this West-Country branch of the Goodere family prospered, declined and became extinct.⁶

The founder of this dynasty was John Goodere, who rose rapidly in the early East India Company from assistant in Basra, Macao and Persia, to factor and second-in-command

in Surat, to deputy governor of Bombay.⁷ He benefitted from the English company's success in defeating Portuguese ambitions in south-west India and successfully competing with the Dutch, who, from a firm base in the spice islands to the east, had wanted to expand their commercial sphere of operations in India. Relatively stable diplomatic relations with the Mughals enabled the English company to secure a profitable trade in Surat, which became a depot for the export of cottons, muslins, saltpetre, indigo and other dyestuffs needed for the English woollen and worsted industries. Under the leadership and mentorship of George Oxenden, John Goodere prospered from this opening of trade in Surat and then in Bombay, which became the chief settlement of the English on this coast some twenty years after Goodere's departure in 1669, when he was the deputy-governor of the post.⁸ His business acumen and demographic good luck, for East India officers were highly susceptible to tropical diseases in India,⁹ enabled him to purchase properties in at least three counties.

Insert ch1.2 (family tree) near here

In Herefordshire John Goodere purchased an estate in Burghope over the objections of Thomas Prise, the knight of the shire, who believed the late owner had devised it to his father and subsequently to him. Prise tried to use his parliamentary status to buttress his claim, but his sisters, who were locked in an inheritance dispute with their brother, were taken by Goodere's attractive offer. The impecunious Prise was subsequently bought out.¹⁰ John Goodere devised Burghope to Edward, his second, but first surviving son. At the time of his death, he also possessed mortgages, bonds and stock, not to mention plate gold, jewels, and necklaces to the value of £10,000. ¹¹ He certainly had more than enough money to qualify as a director of the East India Company in 1670 and 1673 and to move from factor to financier. The fact that his sister

Frances married into a powerful London family certainly helped.¹² The stage was set for another ascent. Daughter Pennington married Spencer Cowper, the second son of Sir William Cowper of Hereford Castle, who became a barrister and eventually a puisne judge of common pleas. Daughter Elizabeth married into a cadet branch of the Beaufort family, the premier nobles of the West Country.¹³ Son Edward, who was born in India in 1657, joined hands with a young Worcestershire heiress. At the age of 22 when he tied the knot, Edward was fresh out of Oxford where he had matriculated in February 1676. There is no indication that he actually secured a degree; just enough social polish and cachet to attract the attentions of eighteen-year-old Eleanor Dineley and quietly court her before he secured her father's approval.¹⁴ Her father, the baronet Sir Edward Dineley, thought it a poor match, probably because at that point the suitor was not the principal beneficiary of his father's fortune; but the mother, a daughter of the Earl of Rockingham, consented, and in 1679 they were married by license at Bodenham in Herefordshire.¹⁵ Subsequently, on the death of his eldest brother, Edward became the beneficiary of two estates with a combined income of over £4000 a year. The Worcestershire estate, in particular, was substantial, comprising over 3000 acres of arable land, and meadows and pasture of equivalent size, not to mention a further thousand acres of furze, heath and common pasture for cattle in Bricklehampton.¹⁶

Insert ch1.3 (Burghope Hall) near here

As a new member of the greater gentry, Edward Goodere was now in a position to consider political ambitions, although his first entrée might well have been thrust upon him. His father-in-law had been considered by King James II as MP for the borough of Evesham, some two miles from his estate, and when a new charter was created for the

borough in August 1688, Edward was touted as an alderman and justice of the peace. James II's wayward policies subsequently led to an annulment of this charter and may well have encouraged Edward Goodere to lay low in the reign of William for fear he might be branded as a Jacobite; that is, an adherent of James, the exiled king and his heirs. But in 1702 Goodere was to be found among Sir John Pakington's 'hounds' in the fiercely contested elections for Worcestershire.¹⁷ As the electoral agent for this well-known Country Tory, he supervised the scrutiny and provided the malt for the entertainments that accompanied the contest. In 1705 he alerted Pakington's wife of a Whig plot to hold an election in his patron's absence. That year Edward Goodere became an alderman for Evesham and this set him up for his successful parliamentary candidature in 1708. The death of his father-in-law certainly helped, for it meant his wife, who was the principal legatee, could offer him an extra financial support. We may infer this because Sir Edward Dineley always feared his estate might be frittered away by his son-in-law's political ambitions. He shored up his estate with a strict settlement that ensured Edward Goodere could only benefit from the incomes of the Worcestershire property during his wife's lifetime.

Although Edward Goodere rose to prominence supporting Pakington he was classified as a Whig in 1708 and subsequently voted in favour of the naturalisation of the German Palatines, an immigration issue that consistently divided the two parties, the Tories being little-Englanders and the Whigs Protestant Europhiles. Goodere also supported the impeachment of the arch-Tory Henry Sacheverell for questioning the constitutionality of the 1688 settlement in a Gunpowder Plot sermon before the London Lord Mayor. The puzzle of his shifting political loyalties can be explained by the fact that Goodere secured a baronetcy from the Whig government in December 1707 and

subsequently saw himself as a courtier. This did not stop him supporting his former patron, Sir John Pakington, in county elections and even hosting the other Tory candidate, Samuel Pytts, at Charlton in July 1710. Goodere had little difficulty adjusting to a moderate Tory position after the Tory landslide of 1710. He voted for the French Commerce bill in 1713 and in favour of the Quaker's affirmation bill. Here he trimmed his sails to suit the winds of local politics, the Quakers being an important electoral presence in Evesham. At the end of Anne's reign, he was identified with the Court Tory, Robert Harley, who was an important political figure in Herefordshire, where Edward Goodere's paternal and more modest estate lay. When Harley was disgraced after the Hanoverian succession for allegedly corresponding with the Stuart court, Goodere suffered accordingly. He was defeated at Evesham in 1715 but returned to the Commons in 1722 as a Country Tory candidate for Herefordshire, coming second in the poll.¹⁸

Sir Edward Goodere's parliamentary career over 19 years cost money and certainly put a strain on his finances. The situation was intensified by the fact that his wife Eleanor died in 1714, at which time the Charlton estate devolved on their first surviving son, John, who assumed the surname of his grandfather and became known as John Dineley-Goodere. This meant that Sir Edward was deprived of about £1000 per annum to sustain his opulent lifestyle as a baronet and consequently he became dependent on the good-will and conscience of his son, John, who voluntarily gave him a life tenancy of the manor of Hanley Castle, an ample estate of farms, chase and park between the Severn and the Malvern Hills, about eighteen miles from Charlton.¹⁹ Growing wheat, barley and oats, and with conspicuous resources of timber, the manor had been bought by Sir Edward Dineley in 1684 and brought in about £500 a year. This concession did not seriously affect John's financial fortunes, although a running dispute

with his sister Eleanor, and his brother-in-law Samuel Foote, an attorney and commissioner of prizes in Truro, signalled the kinds of squabbles that would soon plague the Dineley-Goodere fortune. The Footes were troubled by a hastily drawn-up codicil to Sir Edward's will, dated November 1708, which left another £1000 to his 'daughter Elenover' and a similar sum to his 'grand[son] Samuel' once debts and charges had been paid for.²⁰ The Footes interpreted this to mean the granddaughter Eleanor, not the mother, who was well provided for during her lifetime. Granddaughter Eleanor, now Eleanor Foote, was already entitled to £2000 from her grandfather's personal estate, but the extra £1000 hinged on whether brother John had translated his grandfather's wishes correctly or not. The brother claimed the money was intended for Eleanor his mother, not his sister, and on that account would ultimately end up in his pocket. One way or another the Footes felt they had been shortchanged in the final settlement, especially since one of the other fraternal beneficiaries, George Goodere, had died by the time the personal estate of Eleanor's grandfather was distributed. The Footes were unhappy that the Dineley estate had gone exclusively to John, who they believed was never the favoured grandson. They wondered whether Sir Edward Dineley, who had a fit and was speechless at the end of his life, had been pressured into signing a codicil devising John the whole estate and much of the personal property.

They also feared that Sir Edward Dineley's personal estate, estimated to be worth £10-12,000, had been ruthlessly appropriated by Eleanor's parents to renew leases on the Crophorne-Charlton estates owned by the Dean and Chapter of Worcester and to further Sir Edward Goodere's political ambitions.²¹ In their suit they complained of the unseemly haste with which livestock were sold, including prize horses, and their own exclusion from the will, believing that Sir Edward and Eleanor Goodere had

discriminated against them because their marriage had been concluded secretly behind their backs. The suit dragged on in Chancery, with John countering the Foote's charges by noting that sister Eleanor had borrowed a lot of money from her mother during her lifetime, and that the Foote's expectations of a 'very great Overplus' from Sir Edward Dineley's fortune were illusory. The matter was not settled until 1744, with ironic ramifications. Eleanor then had to deal with the trustees and beneficiaries of brother John's will; in effect, she was taking on her two sons, John and Samuel.²² The jaunty exchange between Eleanor and Sam Foote over debts in 1743,²³ one that literary historians have loved to trot out, actually concealed altogether tougher negotiations.

John Dineley-Goodere was plagued with his sister's claim on his estate for thirty years. He encountered other kinds of difficulties as soon as he inherited his maternal grandfather's fortune. He was quickly appointed to the bench, but he just as quickly ruffled feathers. Reared as a merchant seaman in the East India trade, he only came into his landed inheritance because his eldest brother died at 11 and the next surviving brother, Edward, had been killed in a duel in Ireland in 1706. Under the conventions of primogeniture third sons normally had to make their way in the world, and practically speaking John came into his inheritance too quickly to adapt to landed society.²⁴ His nephew, the future dramatist Samuel Foote, remarked that a ship was 'not a proper academy for politeness', nor did it provide a 'necessary ingredient towards composing a social character', by which he meant it did not prepare men for the civilities and measured authority required of landed gentlemen who would officiate as justices of the peace. Another commentator thought that there was 'something in his [John's] cast of Thought, in his Turn of Mind, in his whole Frame and Constitution' that made it difficult to transform him into a 'social fine Gentleman.'²⁵ John thought nothing of hunting with

the hounds on the Sabbath which seems to have bothered clerical JPs. He refused to contribute towards the maintenance of the highways, even though this was a task administered by the JPs, and he prohibited some of his tenants from devoting two to three days' labour to it, which they were technically obliged to do. John Dineley also appears to have treated his personal servants harshly. One, William Wilson, a sixteen-year-old lad, ran away in his blue livery with £6 in his pocket.²⁶ More serious was his vindictiveness towards a servant who had testified against him in the family suit with the Footes. He had her arrested as a vagrant and whipped in the county jail, to the disapproval of other members of the bench who released her.

Then in 1716 Justice Dineley arrested a woman suspected of being a witch and subjected her to the ordeal of swimming in a sluice with a rope around her waist. This was a test that had been introduced into England by King James I in his *Daemonologie*. It was based on the assumption that evil-doers and devil-worshipers were allergic to water because they were allergic to the holy sacraments, and consequently if a suspect was hog-tied and thrown into the water, the ordeal would test a person's innocence or maleficium [malevolence]. If the victims floated on the water, they were guilty; if they sank, they were deemed innocent, although there was then the imminent danger they would drown if they were not dragged out of the water in time. The practice had never won judicial approval, even in the days of rampant witch-hunting when it was widely practiced, and it signalled the growing divide between elite opinion and popular belief.²⁷ In 1712, when Jane Wenham was accused of witchcraft and offered to undergo the water test to prove her innocence, the examining justice in Hertfordshire said he would not approve it, since the ordeal was 'illegal and unjustifiable.' This did not stop Justice Dineley leading the pack in a local Worcestershire witch-hunt.

Swimming the witch continued to win favour in plebeian rural society for a considerable time longer. The register of Monks Eleigh parish in Suffolk, for example, contains the following entry: 'December 19, 1748. Alice, the wife of Thomas Green, labourer, was swam, malicious and evil people having raised an ill-report of her for being a witch.' Over twenty-five years later another Suffolk outsider, this time suspected of being a 'wizard', was subjected to the same ordeal in the river Deben 'in the presence of a great number of spectators'. He would have drowned, the *Ipswich Journal* reported, had it not been for the assistance of a humane looker-on.²⁸ Such unofficial ordeals persisted well after the official banning of witch-hunting in 1735, but even in its final years of dubious legality no-one expected a justice of the peace to endorse them.

John Dineley did. 'By God, she swims like a cork' he exclaimed, as the exhausted women was hauled out of the water. He then stripped down and swam about 'on his Back, exposing his nakedness to the Men and Women who were present.' Later, as he pulled on his breeches, he asked several women whether they would like to be 'knocked.' When asked why he had ordered the woman to be immersed in the water, he answered that it was because 'the hair of her cunt is too long and reaches under her feet.'²⁹ Whether Dineley was drunk or demented when he blurted out this absolutely bizarre remark is unclear, but his crude unorthodox behaviour brought about his dismissal from the bench. In fact, politics might well have influenced the decision, for the justice who exposed him to Lord Chancellor Cowper, the Reverend William Lloyd, was a Whig who had been removed by a Tory chancellor and reinstated in 1714 when the Whigs returned to power. John Dineley, like his father, was Tory-inclined, although he probably thought he might be immune to prosecution given his familial links to the Cowpers.

While John was offending gentlemen in Worcestershire he was also searching for a wife. He settled on one from the Bristol area, one Mary Lawford, the heiress to a fortune created by her grandfather, the grocer and alderman John Lawford, who had bought properties in Stapleton and Tockington, near Almondsbury. The two estates were worth about £1600 a year although they were burdened with a few encumbrances; two mortgages to the tune of £2900 and a lifetime annuity of £250 to Mary's mother Elizabeth out of the Stapleton estate.³⁰ Later, in 1731, Mary's whole estate, personal and real, was estimated at £24,000, some of it jewels and plate.³¹ And so, in January 1716, the terms of the marriage were concluded. John Dineley received a marriage portion of £16,000, agreed to pay down the Gloucestershire mortgages and promised his young bride a jointure of £500 a year upon his death out of his Worcestershire estates.³² This last obligation had been a condition of his inheriting his maternal grandfather's estate. It was explicitly written into Sir Edward Dineley's will.³³

The marriage might have been a reasonable financial deal for the families, but it was a mismatch. Twenty years separated the couple. John was a rough-mannered, irascible ex-seaman in his mid-thirties; Mary was a ruddy-faced slip of a girl, aged fourteen, barely literate judging by her few letters that have survived, full of phonetic constructions with a Bristolian burr.³⁴ After his encounter with the Worcestershire bench, John, who showed early signs of being a manic-depressive, seems to have spurned respectable company and retreated into his own world and to the bottle. Mary, on the other hand, craved social company and sought it wherever she could find it. At first this did not matter since offspring came quickly: a son, Edward, who was born at Stapleton within eleven months of the marriage, and another at Charlton in 1722, who died at birth. After that, things started to go badly awry.

Mary's disposition to gad about started to bother John. He tried to curtail her socializing by keeping her short of servants, so that, as she later complained, 'I drest your victuals, clean'd your House, and wash'd your shirts, and had but one girl about thirteen years of age to help me.'³⁵ These 'servile' tasks, as she described them, did not stop her nocturnal revels. In February 1723 Mary returned to the house in Charlton around midnight and encountered an enraged husband, who kicked her out of the house and bolted all the doors. He turned on the nursemaid, Diana Mellichamp, and ordered her out of the house as well, together with the toddler Edward, swearing that if she did not take the child to its mother he would 'break its neck.'³⁶ The three of them managed to find shelter at the cottage of a neighbouring wheelwright, and the quarrel was patched up through the mediation of an elderly gentleman, Captain Jacob Meyrick. It was the first recorded confrontation of many.

In the summer of 1726 Mary visited her mother in Stapleton for two months, only to return to Charlton to find John had been philandering with the housekeeper, Elizabeth Atkins, described in a subsequent divorce petition as a person of a 'Mean extraction' and 'very indifferent Character & Reputation'. Mary ordered Atkins out of the house, but she haughtily refused to go unless her master John Dineley told her so. Mary was furious at her intransigence, and later complained that her husband kept 'whores in the home that had Ten Times more Power in it than I ever had.'³⁷ The situation escalated to a point where John grabbed his wife by the hair, called her a whore, and locked her in a garret. He then ordered his servant Joseph Baker to fetch a chain and two horse padlocks so he might pin Mary to the floor. The astounded servant refused, and so Dineley retrieved them himself, telling his wife he would 'keep her there and beat her to death if she would not carry herself civilly to Elizabeth Atkins.'³⁸ It seems he kept

her there 36 hours, until neighbours intervened. Judging from a contemporary comment such brutal behaviour was not so extraordinary from enraged husbands. Sarah Chapone remarked that 'A good husband would not desire the power of Horsewhipping, confining, half-starving his wife; or squandering her Estate; a bad husband should not be allowed it.' ³⁹ Mary certainly did not think so, and spread the word around about her shameful treatment.

After this serious and brutal confrontation, Dineley made an effort to accommodate his wife's desire for a larger social life. He befriended a local baronet named Sir Robert Jason who lived with his three sisters nearby at Hinton-on-the-Green. The Jasons were frequent visitors to Charlton and sometimes stayed over. Sir Robert was closer to Mary's age than Dineley, in his early twenties in 1728, while John Dineley was well into middle age by the standards of the eighteenth century and worse the wear through heavy drinking. Sir Robert appeared a more compatible partner for Mary, and this precipitated fits of jealousy from the husband. On one occasion when Sir Robert visited and was sitting close to Mary by the fire, John entered the room 'in a great passion' and asked his wife 'if she would thrust her nose in Sir Robert's face'. He turned on the baronet asking him "if he did not know the Penalty of Lying with other Man's wives'. Dineley became paranoid that his wife was having an affair with Sir Robert. He called her a slut, a whore, a trollop, a 'bitchington', a 'hell-fire bitch' and threatened her with a whipping. Sometimes he forced her to wear the redcap of whoredom in bed.⁴⁰ He was enraged when she came back in the early hours of the morning from drinking parties with the Jasons. He felt humiliated when he learned of Mary's alleged familiarities with Sir Robert in local alehouses and even in his own house. On one occasion Sir Robert was seen with one hand on her breast and the other up her skirts, at

least according to Mary Sandiland.⁴¹ On another, when Dineley was away, Sir Robert slept over in suspicious circumstances. He wasn't to be found in his normal sleeping place in the crimson chamber. There was a time when Mary asked Sir Robert to come over to Charlton 'at an unseasonable time of night.' And she was accused of undressing in front of him, something she strenuously denied.⁴² Eventually John banned his wife from seeing Sir Robert, but it proved impossible to keep her away. During one drunken revel at Sir Robert's house in Hinton, a local neighbour, Mr. John Acton of Bengeworth, declared 'Mr. Dineley is a cuckold. He should go to Hinton and look after the drunken whore his wife.'⁴³ The allegation circulated through the neighbourhood like a bushfire.

The stage was set for a huge explosion in July 1730, on the day the horse races came to Chipping Camden. Mary had persuaded John to go, even though he was busy with the harvest, and she went ahead to collect her horse. She discovered that she had no housing for her side saddle and decided to go to Hinton to borrow some from the Jasons. Dineley took her departure to mean she intended to elope with Sir Robert. When he caught up with her, he asked her, rather oddly, where were her clothes and jewels? Sir John clearly feared his wife intended to bolt, and if so, he wanted to repossess her personal effects, especially the fine ingots of jewelry she inherited from her grandfather.⁴⁴ Mary was puzzled by the question and answered flippantly that they were scattered throughout the house. This retort threw Dineley into a paroxysm of rage. He horse-whipped his wife up a ladder into the garret and strapped a chain to her foot and to a chair. He then went to the races himself and ordered the servants to ignore her. The servants, to their credit, climbed the leads and managed to pass some small beer to her through the garret window; a neighbour provided some spirits of wine to bathe her welts and cuts. When Dineley returned from the races late at night, he allowed his wife a

bed, but he tightened her ankle chains and imprisoned her there for four days. Neighbours remonstrated with him that it was 'very hard and barbarous that a gentlewoman should be so served' but he responded he 'desired her to reflect upon her present folly and resolve to amend in her future behaviour.'⁴⁵ Either that, or the madhouse, for husbands had the right to confine their wives in such places.

Mary Dineley defied her husband one more time. A few weeks later she spent a day and a night carousing with Sir Robert and his friends at the Angel Inn in Pershore. She left with Sir Robert at midnight and did not return to Charlton until four o'clock in the morning. John went berserk. He tracked Mary down to an inn in Bengeworth where she was recuperating from her revel and demanded to be let in. When the landlord refused him entry, he threatened to return with a posse and pull the house down.⁴⁶ In late July or early August 1730, she left for London claiming she feared for her life. Three months later, she launched a suit at the Consistory Court in Worcester for separation on grounds of cruelty, asserting she had been whipped and chained 'as never a Dog was used.' In her pleadings, which she had printed for public consumption, she denied the drinking and cavorting, 'tho if anything could excuse so Beastly an Action in a Woman 'twould be the Vile Inhumane Usage I have met with from you.' As for her time at Hinton, where she was accused of sexual trysts with Sir Robert, Mary protested much of her time was taken up trying to arrange a match between her brother-in-law Henry Goodere, and Sir Robert Jason's widowed sister.⁴⁷ In her pleadings she requested alimony and the recovery of her remaining personal possessions. She damned Dineley for his whoring, his financial laxity with regard to her fortune, his exceptional brutality and malice. Dineley, for his part, printed a notice that his wife had been 'entertained and secreted from her husband

by some base designing Persons for wicked purposes.’ When they were discovered, he declared, they would be prosecuted with all the severity the law allowed.⁴⁸

Dineley’s rage, it seems, knew no bounds. Just before Mary sued for a separation, she applied for a writ of supplication [a supplicavit] to restrain John from assaulting her. Her lawyer demanded impossibly high bonds of £6000 at the Court of Chancery, but even the award of two £2000 bonds enraged Dineley, who reputedly rode up to her wife’s coach on her return from London and fired a brace of pistols into it, searing Mary’s right arm. A month later, when she was travelling from Ashton Underhill to London, Mary stopped for refreshments at the Angel Inn in Pershore, one of her old haunts with Sir Robert Jason. John Dineley sprang into the room, she deposed, and ‘in a Violent and passionate manner Insulted her.’ He vowed that if he ever met her again he would strangle her, or again fire at her from his horse. He swore ‘he knew ye consequences that he should be Hanged but it would be a sattisfaction to him if he lived but half an hour later.’ As Mary left the inn, he grabbed her by the arm and swung her around. Holding her by the hair and cap, he invited the astonished crowd around him to join in humiliating her, crying ‘Hallow, Hallow Boys, here is a Whore goeing to be Duck’t.’⁴⁹ Fortunately, a gentlewoman intervened to guide her to the safety of a nearby shop.

After these assaults Mary demanded that the Court of Chancery execute the bonds. John responded with fifteen affidavits claiming that Mary had sensationalised if not fabricated these encounters. On hearing the evidence, the court refused to release Sir John from all the bonds, demanding that he restrain himself, and that order appeared to work.⁵⁰ Dineley seemed disposed to settle. Two months after the case was heard in Worcester, John agreed to drop all law suits and pay Mary £150 to clear her

current debts. He agreed to hand over her personal clothes and jewelry and offered her an allowance of £200 a year for life, with a further £100 per annum on the death of his father. In return she agreed he would not be responsible for any debts she incurred after August 1730.⁵¹ The agreement proved a dead letter because Dineley was really determined to find evidence of Mary's adultery with Sir Robert Jason and convict her on that account. Many of the rumours that circulated about their tête-à-têtes were tantalizingly inconclusive. They had allegedly slept together one night at the Golden Fleece at Bengeworth along with Sir Robert's sister Anne and Mary's maid, Ann Duncox. Mary claimed Sir Robert slept drunkenly in the chair. The maid claimed there was frolicking in the bed, whose motions shunted Anne Jason to the floor. She further testified that at 3am Sir Robert arose with his breeches down to his knees and went to fetch some cider.⁵²

This evidence was probably enough to prove adultery on the part of Mary, but John Dineley wanted something firmer. Somewhat suspiciously he produced two witnesses who were prepared to testify that Mary and Sir Robert had sex in the plain light of day. Henry Grove claimed he saw them under a tree in the missionary position, with Mary on her back and her petticoats up. His wife, Esther Grove, confirmed another encounter *flagrante delicto* a few weeks later, two weeks before Mary left for London. Henry Grove later conceded that he had been suborned to provide this evidence. He had been bribed to give false testimony on the promise of a three-life lease of a farm let at £70 a year.⁵³ But at the time his evidence was compelling enough to allow Dineley to win a case against Sir Robert for a 'criminal conversation' with his wife, probably because John pursued the suit in Middlesex not Worcestershire, where John's volatile and violent behaviour was better known. In the patriarchal discourse of the law, Sir

Robert had trespassed on the 'property' of John Dineley, that is, the body of Mary, for which he was ordered to pay £1000 in damages by the Court of Common Pleas.⁵⁴

The decision in Common Pleas paid for some of Sir John's legal expenses, but more importantly it promised to give him some leverage in the protracted marital dispute. Nonetheless, the litigation before the church courts satisfied neither party. Despite the beatings and imprisonment in a garret, despite the pistol shots and public humiliations, the Worcester Consistory Court astoundingly thought Mary was not in a life-threatening situation, which was a necessary condition of alimony. At the same time, the proctor did not think John Dineley's claim that his actions were recriminations upon a known adultery sufficient to void the original suit.⁵⁵ This inconclusive verdict only escalated the dispute. Mary appealed to the Court of Arches, and when turned down, to the High Court of Delegates, which sat on the case for five years. She and Sir Robert Jason sued John Dineley at the Court of King's Bench for suborning witnesses in the crim. con. case, but Dineley was inexplicably acquitted for lack of evidence, despite the fact that Henry Groves had confessed before Justice De Veil of Bow Street that he had been bribed to give false testimony. ⁵⁶

John Dineley then retaliated by bringing Mary's maidservant to the stand to swear that his wife and Sir Robert had conspired to indict him for the subornation; that from the beginning it was a vexatious and malicious prosecution. Sir Robert was acquitted, but Mary was not. She received a small fine and was sentenced to a year in King's Bench Prison. Mary responded by racking up debts for fees and food at the Golden Lyon Sponging House within the rules of the prison; this was a preliminary detention centre for debtors destined for Kings Bench, which also served as an alehouse for residents. The charges in such places were exorbitant, and John Dineley was

expected to pay them in the absence of a viable separation agreement. Dineley fought off the move by successfully claiming that Mary was not entitled to the rules of King's Bench and he was therefore not responsible for the bill. He had done so a little earlier, when Mary was racking up debts in London, on the grounds that she had 'eloped'. This deliberate departure, he argued, absolved him from paying her bills.⁵⁷

Then Sir John moved in for the kill, a bill for a full divorce before the House of Lords. This would have freed John of any responsibility for Mary's debts; it would have cancelled her jointure and cut off her right to dower on the Dineley estate. If passed, it would have granted Sir John the right to remarry and produce other legitimate heirs.⁵⁸ Dineley's case rested on the conviction of Sir Robert Jason at the Court of Common Pleas and his wife's adjudged adultery. Mary's counsel countered by producing the confession that Henry Grove had perjured himself, insisting that it was on this critical testimony that Dineley had won his case at Common Pleas. Their lordships were reluctant retroactively to reverse that verdict, although the evidence of Grove's perjury must have made an impression.⁵⁹ Sir John Dineley produced witnesses replicating the evidence brought before the Court of Arches of Lady's Dineley's 'familiarity' with Sir Robert. Lord Hardwicke's notes on the matter read a bit like a scandal sheet. Citing witness and event, the brief entries ran thus: Sarah Bates, 'the bed tumbled'; Eleanor Andrews, 'Sir Robert...under the bed' and then 'his leg over hers'; Richard Bevan, the two 'seen in the bedroom with the door locked.'⁶⁰ Lady Mary countered this salacious detail with the garret scenarios and allegations of rampant cruelty. She produced her own parade of witnesses. It was tit for tat, and in the end the Lords rejected the bill of divorce on 16 May 1739 before it reached the third reading. Sir John had won on dubious grounds at the Court of Common Pleas, but no ecclesiastical court had endorsed

his version of events; a full divorce had to fulfil both conditions, evidence of adultery and a judicial separation before a church court. Judging from Lord Hardwicke's notes on the trial, this last issue was crucial. Their lordships were very reluctant to grant a petition of divorce without a clear sentence from a church court. Only two exceptions were known: those of the Duke of Norfolk and the Earl of Macclesfield; both noblemen of stature, not some rough-edged Worcestershire baronet. So Sir John did not get the verdict he desired, and he fumed about having to pay the expenses of Mary's witnesses before the Lords, which were calculated at £204. In the end, he stubbornly refused to do so.⁶¹ He could not avoid his other obligations to her, however. Technically speaking he was still bound by the separation settlement of 1731, and his Worcestershire estate remained encumbered by her jointure of £500 a year after his death.

Nine years of litigation in some of the highest courts of the land diminished Dineley's fortune, notwithstanding his successful suit against Sir Robert Jason. We know that he hired Sir John Strange to represent him in Chancery and King's Bench and as a recently elected bencher of Middle Temple and solicitor general for Sir Robert Walpole's administration, lawyers of his calibre were expensive. ⁶² Dineley claimed that his legal bills came to £14,000, over £2 million in today's terms, and he had been hampered by the fact that his father, Sir Edward Goodere, lived beyond eighty and deprived him of any revenues he might accrue from the Herefordshire estate at Burghope, not to mention the income from Hanley Castle which he had conveyed to his father.

Sir Edward Goodere died in March 1739. He was paraded to the public as a member of one of the 'ancientest families' in Herefordshire and as a 'true brave Englishman who never took an intended affront or ever gave one.' ⁶³ On one occasion in

1702 he is said to have sorted out Beau Robert Fielding for a slight at the theatre in Drury Lane, causing a flutter among the ladies when he drew blood.⁶⁴ Whatever Sir Edward's public reputation, his son John Dineley-Goodere was shocked to learn of his will. Despite his generosity to his father, he was only given a life interest in the Herefordshire estate, which went to his younger brother Samuel. Although it was not unusual for younger sons to get an interest in a secondary estate, John seems to have been flummoxed by the arrangement.

This was because Sam's relations with his father had not always been amicable. In his youth he had fallen out with his father, threatened him for money, and whined that he had not used his political influence to secure him a captaincy in the royal navy.⁶⁵ Samuel had served as a first lieutenant in the War of Spanish Succession on HMS *Preston* and in 1719 he was responsible for the bombardment of San Sebastian and the neighbouring ports of Ferrol and St. Antonio. His printed journal suggested he carried out his duties with courage and aplomb, burning three men-of-war, capturing a few shallops⁶⁶ and one small privateer, and landing troops near St Antonio at personal risk. But because he botched a landing of French troops on the island of St. Clare, he was court-martialed by Captain Robert Johnson for misconduct. The Court decided that Goodere was 'very much wanting in the performance of his duty' in failing to land the troops and he was consequently dismissed from his ship, then HMS *Deptford*, in December 1719.⁶⁷ This was tantamount to leaving the service altogether and for many years Samuel Goodere was simply a lieutenant on half-pay awaiting a berth.

Insert ch1.4 near here (Samuel Goodere)

In the long run-up to the 1734 election Goodere was encouraged to use his interest in Evesham on behalf of a Tory candidate, William Taylor, and to secure the co-operation of his father and brother in the election; all on the promise of a captaincy. But Samuel decided he could better achieve his ambitions by supporting Taylor's opponents, the neighbouring Whig landlords Sir John Rushout and John Rudge. This placed him in opposition to his father and propelled him into the limelight as the Whig mayoral candidate for Evesham in 1733 against none other than his brother. The result was a tie, and in the riotous aftermath of this inconclusive election, Samuel had brother John physically ejected from the mayoral pew of the city's principal church, where the swearing-in was due to take place. This eviction set them on an acrimonious path for the rest of their lives.⁶⁸

Samuel Goodere gained little from this political manoeuvre; merely a brief captaincy of HMS *Antelope*, a fourth-rate ship with fifty guns.⁶⁹ His father was unhappy with his antics, but over time he relented. Sir Edward could not have been upset with the result of the 1734 Evesham election, which returned two anti-Excise candidates, one a Tory. And Samuel's second marriage to a Monmouthshire widow proved more stable than his brother's.⁷⁰ He produced two sons and three daughters and spent more time at Burghope with his father in his old age. He seems to have insinuated himself into Herefordshire society and became a fitting representative of his family, serving on the bench and as a trustee of the Hereford turnpike.⁷¹ According to one account, Sir Edward regularly confided in Samuel during his final years and probably felt his second son was entitled to the Herefordshire estate, leaving his eldest only a life interest in it. Sir Edward was disturbed by the reckless way John Dineley-Goodere was destroying his landed estate in a relentless, vindictive divorce against his wife.⁷² According to Mary, Sir

Edward desired his son ‘to use me better’; his treatment of her ‘almost broke his heart.’ John, by contrast, was so angry at his father’s will that he gave him a funeral well below his station, reputedly akin to a servant’s or plebeian burial. Samuel was so outraged by this slight to his father that he turned up at Burghope in Herefordshire with six bouncers and demanded that John leave immediately, on the unsubstantiated grounds that his father had long ago given him the lease to the house. Samuel’s wife begged him not to cause trouble and diffused the situation, while John reputedly shooed off his brother’s bruisers with an unloaded blunderbuss.⁷³

The stage was set for a bitter rivalry that would ultimately end in murder. Samuel had already irritated his brother by aiding Mary Dineley in her legal battles.⁷⁴ Now Sir John Dineley, as he was now titled, was determined to make the most of his life tenure at Burghope and deprive his brother of the possibility of inheriting the Worcestershire estate. In order to exclude his brother from that estate he had to break the entail, because his only surviving son, Edward, had tuberculosis and was not expected to live long, and according to his grandfather’s will, the estate would devolve to Samuel and his heirs after Sir John and his male progeny. Edward had been neglected by his quarrelsome parents; he was never given any filial attention by his father, who in a paranoid frame of mind, suspected he was not his offspring. The poor boy was apprenticed to a sadler, hardly an appropriate training for a future baronet and proprietor of a large estate. He quickly fell into a life of dissipation and was at death’s door when his father’s attorney, William White, found him in Blackman Street, Southwark, poor, wretched, evading debtors.

Edward Dineley was at that point in the care of his mother, who could do so because Blackman Street was within the rules of King Bench where she was imprisoned.

She importuned him to sign over his estate to her, in ‘possession, reversion or remainder’, in what was clearly an attempt to frustrate Sir John Dineley’s intention to exclude her from his will. Edward’s will of 6 January 1739 gave Lady Mary full powers to dispose of her son’s property ‘notwithstanding her coverture.’ In it, Edward declared that ‘her husband, my father, shall not have the power to dispose of the same or any part thereof but it shall be to her separate use and be disposed of by her.’⁷⁵ He referred to her as his ‘Dear Mother’ which suggests either that he had begun to repair the differences between them or that his mother had squeezed the endearment out of him.

Sir John Dineley was keen however to frustrate the designs of his separated wife, and to deliver a blow to brother Samuel, who had been helping Lady Mary resist Sir John’s efforts to secure a divorce. Although he knew his son was dying of tuberculosis, he had him moved across the Thames to his attorney’s house in Fetter Lane. There he offered him £20 to pay his immediate debts and a £200 annuity in return for a recovery, a legal instrument that allowed Sir John to dispose of his estate as he pleased. His attorney William White had suggested a more generous offer, but Sir John was unwilling to give his son a penny more than he had to, doubting his own paternity. In his petition before the House of Lords Sir John had actually disowned Edward, although his legitimacy mattered here. In fact, John is alleged to have said that he was only happy with the annuity because he knew his son would not live to enjoy it, a mean-spirited comment if ever there was one.⁷⁶

The recovery was carried out in very dubious circumstances. According to affidavits later exhibited before the Court of Exchequer, Edward was too debilitated to know what he was really doing. He had been persuaded to sign the recovery by his old nurse, Elizabeth Stiles, who was offered a ‘great reward’ to bring him round. Edward

was so ill he had to be propped up by Stiles and a local glover named Mary Pursley in order to sign. His hand was so shaky he signed ineffectually, and on the wrong side of the seal. Accordingly, Sir John Dineley and attorney White ordered virtually everybody out of the room, and then ordered White's clerk, John Tapscott, to place a quill in Edward's hand and run it over the document. The witnesses were then called in to testify to the signature, although they were unhappy about it; especially William Stephenson, a glover who also happened to be the undertaker. Once he had signed, Edward was carried out of the attorney's lodgings in Fetter Lane as if he were a corpse, four men acting as virtual pallbearers. He died a few days later, on 20 January 1739. Allegedly Sir John drove the hearse himself, consigning his son's body to a pauper's grave to save on burial fees.

In his new will of 11 January 1739, Sir John excluded his brother Samuel from the entail, and devised his estates to his nephews John and Samuel Foote, the sons of his sister; that is, if he did not marry again and produce new heirs, for the decision of the House of Lords was then still pending.⁷⁷ John Foote, a naval lieutenant who was fighting in the Caribbean under Sir Chaloner Ogle, would inherit the Worcestershire estate; Samuel, the younger brother and future comedian, then raising eyebrows in Oxford where he was a scholar at Worcester College, was offered those he acquired by marriage in Gloucestershire. The arrangement was bound to be contentious. Samuel Goodere believed the recovery was a forgery and refused to accept its legitimacy. He alleged that his brother knew full well that moving Edward across the Thames might hasten his death and render him more vulnerable to his father's solicitations. His nephew Edward was 'in a most helpless and debilitated situation both in body and mind...and utterly incapable of judging or acting for himself.'⁷⁸ As far as Samuel was concerned, the

recovery was fraudulent. This was evident from the very dodgy signature around the seal, and the crucial fact that the witnesses to the recovery were not in the room when it was signed. Sam had been cheated out of an inheritance. He challenged the legitimacy of the recovery in the Court of Common Pleas.⁷⁹

For her part, Lady Mary believed she had a prior claim on the estate in the light of Edward's will, although it was not actually proved at the Prerogative Court of Canterbury until early April 1739. She continued to insist she was entitled to the jointure of £500 on the Worcestershire estates, as set out in Sir Edward Dineley's will and confirmed in her articles of marriage in 1716. She also argued that her husband had failed to pay off a mortgage on the Tockington estate owed to her grandfather, Thomas Cole, and by his will these debts were now owing to her.⁸⁰ After the murder of 1741 she was locked in a Chancery suit with the Foote family over their obligations to her. And quite predictably, the quarrel between the brothers lasted beyond the grave, with Samuel Goodere's son Edward, disputing his cousin John Foote Dineley's right to the Worcestershire properties by suggesting that Sir John's recovery was fraudulent and his new will invalid.⁸¹

The legal wrangles did not even end there. Creditors demanded to be paid before the families squabbled over the remaining assets. In Bristol, the families of Henry Parsons and Lawford Cole requested the repayment of outstanding mortgages on the Gloucestershire estates, as indeed, did lawyer Jarrit Smith, who had loaned Sir John more money to pay down those very mortgages. In Worcestershire new creditors emerged from the woodwork for debts due on the manor of Peopleton, and messuages in Norgrove, Offenham, Aldington, and Badsey.⁸² It became very clear that Sir John had greatly neglected his properties, quite unlike his maternal grandfather, who was

described as ‘a very warry and frugal gent’ who ‘would seldom Permitt his Tenants to bee Longe in Arrears.’⁸³ Sir John had failed to fulfill his obligations under his marriage agreement; he overlooked commitments made by his grandfather, Sir Edward Dineley; he let Worcestershire leases lapse. He destroyed two good estates in his vindictive pursuit of a divorce, with the result that the Dineley-Goodere inheritance became a mere shadow of what it had been.

The fact that John Foote Dineley was a fun-loving, libertine naval lieutenant didn’t help. He had just returned from a hard-fought, debilitating campaign against the Spanish at Cartagena, where he was in the thick of the battle with Captain Charles Knowles on HMS *Weymouth*. He had been in the advance party that took possession of Castillo Grande, before disease ripped into the troops ordered to mount an assault on Cartagena.⁸⁴ Lieutenant Foote seems to have left the *Weymouth* before he was able to profit from the spoils of war,⁸⁵ but he salvaged some money by clandestinely marrying an heiress with a small fortune, one Margaret White. When it came to family affairs, however, he confessed he was an ‘absolute stranger’. He quickly found himself locked in a dispute with his mother who asserted he owed her £3456 and took possession of Charlton and Hadley Castle to reinforce her claim.⁸⁶ John protested that his uncle had arranged a mortgage of £2000 to satisfy her, but he proved to be an easy-going lieutenant on half pay who ran with the hounds, ran into debt and lacked the assiduity to attend to his Worcestershire legacy. Before he died in 1758, he disobliged his mother by selling Charlton to Lady Mary’s new husband, the opposition printer William Rayner.

⁸⁷

Between John and his equally profligate brother Sam Foote, it came as no surprise that the Dineley estates were sold and dispersed. John Foote Dineley sold his

properties in Sheriff's Lench to satisfy his mother's claim.⁸⁸ He released lands at Hanley Hall to accommodate Lady Mary's jointure. By 1770 the Dineley baronetcy was no longer linked with the estates in the three west-country counties. In the case of the Herefordshire estate, the eccentric Sir John, Samuel Goodere's son and future Windsor pensioner, sold it to an East Indian nabob who was considering reviving his electoral fortunes in that county.⁸⁹ As a result, Burghope entered and exited this family's turbulent history by way of the riches of the East.

Rather ironically, amid all the struggles over the Goodere-Dineley estates, Lady Mary Dineley emerged as the most successful claimant. She held on to her jointure and retained control of the Stapleton estate, thanks to the cunning of William Rayner, who forced the impecunious Samuel Foote to hand it over in return for paying his debts and a reversion on the estate. The aspiring actor and playwright was in no position to argue, since he was obliged to pay over £1200 to various creditors to secure his release from the Fleet in 1743. By the time he was in a position to reclaim his heavily encumbered Gloucestershire properties, Rayner had sold them off to accommodate creditors, especially Jarrit Smith, Sir John Dineley's principal creditor, who raised enough money to revive the dormant baronetcy of the Smyths of Long Ashton. Rayner also obliged Lady Mary by buying John Foote Dineley's diminishing share of the lands around Charlton and Cropthorne. A man who had a reputation as a social adventurer, Rayner then smartly sold them off.⁹⁰ He resembled a vulture picking and profiting from a crumbling fortune.

But in January 1739 that was in the future. At this point in time Sir John chose to overlook the disagreements that his sister Eleanor and husband had caused over the Dineley bequest and privileged their sons as remainders of his estate; no doubt to

silence the older Footes while his petition before the Lords was still pending. A new marriage and new heir would outfox all his relatives and his wife. In framing his will of January 1741, he predictably overlooked the entitlements his estranged wife had on Stapleton and the jointure she might claim under their marriage settlement. Perhaps he felt, if he could not divorce her outright, he could beat down her demands after she had experienced the penury of a debtors' prison and the inflated price of legal fees. To the Lords she had complained that she had received a mere five guineas from her husband since her confinement in King's Bench and 'must have starved if some persons out of mere charity supplied her with common necessities.'⁹¹ Mary was so desperate that she even fabricated another son, whom she claimed was born just before her departure from Charlton; just to confound Sir John's testamentary strategy once more. The ploy didn't work. There were no witnesses to the birth and her lawyer eventually admitted it was a fraudulent claim, which rather put her at the mercy of Sir John.⁹² When he was murdered, Mary affected sorrow and horror. She told her cousin that the news of 'poor Sr Jon ...have all most ben my Deth for I am frit outt of my wits.' Yet she spent the bulk of the letter thinking of the mourning dress she would wear 'in the very pink of ye mode', no doubt to attract prospective suitors.⁹³

That was also in the future. In May 1739 Sir John Dineley had failed to crush his wife in a divorce suit that had cost thousands of pounds, although he probably derived some satisfaction from impoverishing her in the process. What Sir John did not reckon with was the all-consuming anger of his brother, who was determined to overturn the recovery, and failing that, pursue darker designs.⁹⁴

¹ Charles Knight, 'Sir John Dinley', *Penny Magazine*, 10 (11 Sept. 1841), 356.

² *Reading Mercury*, 24 May 1802; *Ipswich Journal*, 21 August 1802.

³ On the mother's death, see *Newcastle Courant*, 29 August 1741; *Derby Mercury*, 3 Sept. 1741.

⁴ TNA, E112/2042, 198, Exchequer, Worcestershire, 1776.

⁵ His second uncle by marriage, Samuel Foote, was at one time the mayor of Truro. Charles Dineley-Goodere was mayor of Evesham in 1733 and 1734. The spelling of Goodere and Dineley is erratic. Alternatives include Goodyer, Goodier, Dinley, Dinely.

⁶ We say the West-Country branch because older branches of the Goodere family, which featured Middlesex JPs, London aldermen and privy councillors, were based in Monken Hadley, Middlesex and Polesworth, Warwickshire. See Frederick Charles Cass, *Monken Hadley* (Westminster 1880), 139-54. Its estates were in disarray by 1640, but employment in the East India Company seems to have revived two branches, one in Herefordshire and the other in Essex.

⁷ Sir William Foster, *The English Factories in India, 1646-1650* (Oxford, 1914), 295; Foster, *English Factories 1661-1664* (Oxford, 1923), 94, 96, 100, 104, 186, 213, 303, 315.

⁸ Ramkrishna Mukkherjee, *The Rise and Fall of the East India Company* (New York and London, 1973), 93-109, 224-6; Tirthankar Roy, *The East India Company. The World's Most Powerful Corporation* (New Delhi, 2012), 77-80.

⁹ P. J. Marshall, 'British Society in India under the East India Company,' *Modern Asian Studies*, 31/1 (1997), 92-4.

¹⁰ John Wells Wilkinson, *The Life and Works of Samuel Foote*, 5 vols (typescript, 1936), 1:49-52, located in the Huntington Library, San Marino, CA. [HM 19996]; John Duncombe & W. H. Cooke, *Collections towards the History and Antiquities of the County of Hereford*, 3 vols. (London, 1802-1882), 2:173-4. See also the biographies of Thomas Prise and Edward Goodere in the *historyofparliamentonline.org* for the House of Commons, 1660-1690 [Prise], and 1690-1714, [Goodere].

¹¹ TNA, C 11/5/22. Samuel Foote v. Edward Goodere, 1714. This document also states that John Goodere's will of 26 August 1696 left the majority of his estate to another John, presumably his first-born son. He must have died, leaving Edward the main beneficiary.

¹² She married Theophilus Child, a wealthy London haberdasher. Their son John became president of Bombay in 1682. He was awarded a baronetcy in 1687 and was known for enforcing the East India monopoly against private traders. See I. B. Watson, 'Sir John Child, baronet, 1637/8-1690' Oxford DNB.

¹³ Daughter Elizabeth married Charles Somerset of Canon Pyon, Herefordshire, 3rd son of Lord John Somerset. For Pennington, see David Lemmings, 'Spencer Cowper, 1670-1728', Oxford DNB. For Elizabeth, see Treadway Russell Nash, *Collections for the history of Worcestershire*, 2 vols. (London, 1781-2), 1:272.

¹⁴ *Genuine and Authentick History of the Life and Character of Samuel Goodere Esq* (London, 1741), 5.

¹⁵ G.E. Cockayne, *Complete Baronetage. Creations 1707-1800* (Exeter, 1906), 5:5-6.

¹⁶ TNA, E 112/2042, 193, a schedule of the land is listed here.

¹⁷ On Sir Edward Goodere's political career, see the informative minibiography of Stuart Handley, 'Sir Edward Goodere, 1657-1739', in *The History of Parliament. The House of Commons, 1690-1715* ed. Eveline Cruickshank and David Hayden, obtainable through www.historyofparliamentonline.org

¹⁸ William Retlaw Williams, *The Parliamentary History of the County of Hereford* (Brecknock, 1896) 60.

¹⁹ 'Parishes: Hanley Castle', in *A History of the County of Worcester*, eds. William Page and J W Willis-Bund (London, 1924), 4: 89-101; British History Online, <http://www.british-history.ac.uk/vch/worcs/vol4/pp89-101> [accessed 7 October 2019]; Samuel Foote, *Memoirs of the Life and Death of Sir John Dineley Goodere* (London, 1741), 5; *Genuine and Authentick History*, 9.

²⁰ TNA, PROB 11/506/203, 4 February 1709.

²¹ TNA, C 11/407/6, C11/259/11, C 11/5/22, C 11/1734/32.

²² TNA, C11/1382/18, C 11/407/5, C11/803/9; C 33/381, p. 363, 23 May 1744. Eleanor Foote won her suit for her share of the personal estate of Sir Edward Dineley and was awarded back interest of 6 per cent. It took 39 years in Chancery. Eleanor settled for £4456 and 4 per cent interest on the principal. £1000 plus interest went to Samuel Foote.

²³ Anon., *Aristophanes, being a classic collection of Attic wit* (London, 1778), xxxix, 41.

Eleanor Foote was in King's Bench for debt and wrote to son Sam for help. 'Dear Sam, I am in prison'. Answer: 'Dear Mother, so am I.'

²⁴ *Remarkable trials and interesting memoirs of the most noted criminals...1740 to 1764*, 2 vols. (London, 1765) 1:65. This rather inaccurate account suggests John was the fourth son, but our reconstruction of the family tree indicates he was the third.

²⁵ Foote, *Memoirs of Sir John Dineley*, 4-5; *Genuine and Authentick History*, 7.

²⁶ *Post-Man*, 30 June-3 July 1716

²⁷ James Sharpe, *Instruments of Darkness. Witchcraft in Early Modern England* (Philadelphia, 1997), 138, 218-9.

²⁸ *Ipswich Journal*, 20 July 1776; Sharpe, *Instruments of Darkness*, 282.

²⁹ Lawrence Stone, *Uncertain Unions & Broken Lives. Marriage and Divorce in England 1660-1857* (Oxford, 1995), 353, citing the Panshanger MSS D/EP/F154 ff. 60-64v; Norma Landau, *The Justices of the Peace, 1679-1760* (Berkeley & Los Angeles, 1984), 90-1.

³⁰ The mortgages were held by Henry Parsons and Lawford Cole, both Bristol investors. See TNA, C12/1810/20.

³¹ TNA, C11/1497/13; see also JH Lords 25 (1736-41), 378, where the estate is valued at £20,000.

³² TNA, C11/2554/11.

³³ TNA, PROB 11/506/203, see 19n above.

³⁴ See the letter to Miss Bubb published by John Latimer, *Annals of Bristol*, 3 vols. (Bristol, 1887-1903), 2:232. On Mary's 'ruby countenance', see *The cabinet of true Attic wit* (London 1783), 81-2.

³⁵ Wilkinson, *Foote*, 3:649-654; Bristol Reference Library [B10146], *A Letter from Mrs Mary Dinely Goodere to John her Husband* (1730), 2. The latter is bound with *The Trials of Samuel Goodere, Esquire* (1741) in the Braikenridge Collection.

³⁶ Lambeth Palace, Process Book of the Court of Arches, D 601, *Dineley v Dineley*, (1732) Case no. 2771, 31-2, 154-5; JH Lords 25 (1736-41), 377; Stone, *Uncertain Union & Broken Lives*, 354-5.

³⁷ *Letter from Mrs Mary Dinely*, 3.

³⁸ LPCA, D 601, 35-8, 77-82.

³⁹ Sarah Chapone, *The hardships of the English laws* (Dublin 1735), 50; *A Letter from Mrs Mary Dinely Goodere*, 3.

⁴⁰ LPCA, D 601, 136-8, 159-60, 190. Mother Redcap was the name given to promiscuous ale-house wives or landladies. See George Cruikshank's print of 1820, BM, 1862,1217.407, 'The Mother Red Cap public house, in opposition to the King's Head.'

⁴¹ JH Lords 25 (1736-41), 377; BM, Add Ms. 36,153 ff. 323 et seq.

⁴² JH Lords 25 (1736-41), 376; Wilkinson, *Foote*, 3:649-54; *A Letter from Mrs Mary Dinely Goodere*, 2.

⁴³ LPCA, D 601:113-4, 184-5, 261.

⁴⁴ Mary's personal property was subject to her husband's administration, although he could not sell any portion of it without her consent.

⁴⁵ LPCA, D 601: 42-5, 190-196; Stone, *Uncertain Union & Broken Lives*, 362-3.

⁴⁶ TNA, C33/357, 83

⁴⁷ Wilkinson, *Foote*, 3:349-54; *A Letter from Mrs Mary Dinely Goodere*, 1-2.

⁴⁸ *Fog's Weekly Journal*, 7 November 1730.

⁴⁹ TNA, C33/357, 87-8.

⁵⁰ TNA, C33/357, 141, 150, C33/259, 122.

⁵¹ TNA, C 11/1324/25; Stone, *Uncertain Unions & Broken Lives*, 366.

⁵² LPCA, D 601: 101-11, 179-83, 256-60. Ann Duncox's testimony before the Lords was slightly different. She then implied the sexual activity happened in the morning, when Mary Dineley and Sir Robert Jason were alone in the room. See JH Lords, 25 (1736-41), 377. See also Stone, *Uncertain Union & Broken Lives*, 361.

⁵³ TNA, SP 36/39/3 f75, December 1736; *The Bristol Fratricide*, (London, 1741), 29-30; JH Lords 25 (1736-41), 386-7.

⁵⁴ *Gentleman's Magazine* (May, 1732), 772; *Daily Post*, 12 May 1732.

⁵⁵ Stone, *Uncertain Union & Broken Lives*, 367

⁵⁶ J H Lords, 25:387.

⁵⁷ *Eng. Rep.* 93: 1072, Fowles v. Sir John Dineley; Isaac Espinasse, *A digest of the law of actions and trials at nisi prius*. (Dublin, 1794), 123; *A digest of adjudged cases in the Court of King's Bench* (London, 1775), 220. On the first suit over Mary's debts, brought to Common Pleas in February 1737, see *New York Gazette*, 20 June 1737.

⁵⁸ BL, Add Ms 36,153, ff 323-329v.

⁵⁹ J H Lords, 25: 386-7.

⁶⁰ BL, Add Ms 36,153 ff. 323 et seq.

⁶¹ J H Lords, 25:372, 377, 386-7, 411. Sir John Dineley was not ordered to pay Mary's costs, simply the expenses of her witnesses. Cf. Stone, *Uncertain Union and Broken Lives*, 369.

⁶² TNA, SP 36/39/3 f75, Dec 1736; C 33/357, 141.

⁶³ *London Evening Post*, 31 March -3 April 1739; *Common Sense* 7 April 1739; *Boston Gazette*, 28 May 1739.

⁶⁴ *Daily Courant*, 17 December 1702.

⁶⁵ Foote, *Memoirs of Sir John Dineley*, 6-7

⁶⁶ Shallops are light open boats.

⁶⁷ See entry in Oxford DNB and TNA, Adm 1/5271, 24 December 1719. The dismissal is not mentioned in John Charnock, *Biographia navalis*, 6 vols. (London, 1794), 4:241-8. Captain Johnston's letters have survived, but there is only one relating to the siege of San Sebastian and the attack on neighbouring ports, and no mention of Lieutenant Goodere. TNA, Adm 1/1982 (Robert Johnson).

⁶⁸ Foote, *Memoirs of Sir John Dineley*, 7-9; Peter J. Neville Havins, *Portrait of Worcestershire* (London, 1974), 30. Goodere and Dineley are listed as joint-mayors in 1733, with John continuing as mayor in 1734. See William Tindal, *The history and antiquities of the abbey and borough of Evesham* (Evesham, 1794), 332.

⁶⁹ *London Ev. Post*, 13-15 Nov. 1733.

⁷⁰ Samuel's first wife, Jane Nicholas, died in 1721. A few years later he married Elizabeth Watts, the widow of James Watts of Monmouth. Her father-in-law had been the archdeacon of Llandaff.

⁷¹ *London Gazette*, 15-19 June 1736; *Genuine and Authentick History*, 11-12.

⁷² On the close relationship between Sir Edward Goodere and Samuel, see Charnock, *Biographia navalis*, 4:245n. For the quote, Wilkinson, *Foote*, 3:649-54 and *The Letter from Mrs Mary Dinely Goodere*, 3.

⁷³ Foote, *Memoirs of Sir John Dineley*, 11.

⁷⁴ Charnock, *Biographia navalis*, 4: 246n.

⁷⁵ TNA, PROB 11/695/260, Will of Edward Dinely, Esquire, of Southwark, 6 Jan 1738/9.

⁷⁶ TNA, E 122/2042/198.

⁷⁷ Sir John's intention to remarry is mentioned in *Remarkable Trials*, 1:66-7.

⁷⁸ TNA, E 112/2042/198; E133/58/38.

⁷⁹ TNA, E112/2042/198.

⁸⁰ TNA, C 21/2099/23.

⁸¹ TNA, C12/1867/10, C12/1810/19, C11/2554/11. For Sir John Dineley's will, dated 27 Feb. 1741, see TNA, PROB 11/707/413.

⁸² TNA, C11/801/20, 21. C12/1810/20, C12/110/17.

⁸³ TNA, C11/407/6, 1715.

⁸⁴ *Daily Gazetteer*, 21 May 1741.

⁸⁵ *Common Sense*, 5 December 1741, reports that Knowles captured a Spanish vessel sailing to Havana worth [presumably with cargo] £200,000.

⁸⁶ TNA, C11/870, C11/803 and C12/77.

⁸⁷ Nash *Worcestershire*, 2: 272-3; Wilkinson, *Foote*, 2:871.

⁸⁸ TNA, C 11/570/15, 19 March 1747

⁸⁹ He was James Peachey, who had unsuccessfully contested Hereford in 1754. He died in 1771, one year after the purchase. For Peachey, see www.historyofparliamentonline.org in the 1754-1790 Commons profile.

⁹⁰ Stone, *Uncertain Unions and Broken Lives*, 378-9; Fitzgerald, *Foote*, 28.

⁹¹ Stone, *Uncertain Unions & Broken Lives*, 369.

⁹² Latimer, *Annals of Bristol*, 2:233-4; it seems Mary fought off the original attempt to discover whether there was a second son. See *Report of cases argued and determined in the High Court of Chancery in the time of Lord Chancellor Hardwicke*, 3 vols. (London 1765-8), 2: 394.

⁹³ *Ibid*, 2:232.

⁹⁴ Foote, *Memoirs of Sir John Dineley*, 14.
