

RESEARCH NEWS

The History of Thornbury Park: Part Three
THE NEWMANS to HENRY WENMAN NEWMAN
THE RICHARD NEWMANS

16 & 17 May 1679 Lease and release of all the said premises from the said Gyles Dent & John Cary to Richard Newman esquire (created a baronet in 1699) his heirs and assigns for ever. Purchase money £4500.

There is a lot of confusion over the Newmans bearing this name! More research needs to be done to check what has been suggested below. The Newman family owned considerable amounts of property in Dorset, especially at Fifehead Magdalen, and in Somerset, at Evercreech. Over the years the Newmans made a number of advantageous marriages.

There are 4 relevant Richards; I have given them soubriquets in an effort to make things clearer – The Elder, The Colonel, Richard of Evercreech and Sir Richard the Baronet.

RICHARD NEWMAN “THE ELDER”
OF FIFEHEAD MAGDALEN c1584 – 1664

The family had held (first by lease and then by purchase) Fifehead Magdalen, Dorset, since the mid-16th century (possibly earlier) and had gained a coat of arms. Married in about 1616/1617, Richard's second wife was Elizabeth, the heir of Christopher Perry of Kenn, Somerset. Elizabeth's mother was Elinor of the de Guise family of Elmore, Gloucestershire. The de Guises were descendants of Edward III and thus Richard's children were distant cousins of Charles I. As yet no will or administration has been found for this Richard.

RICHARD NEWMAN “THE COLONEL” c1620 TO 1695

This Richard was one of Richard the Elder's sons. He attended Pembroke College, Oxford and graduated with a BA on 18th June 1639, becoming a Barrister at Law of the Middle Temple in 1640. He seems to have lived much of the time in Westminster where he presumably practiced law.

In about 1648/1649 Newman married Anne, daughter of Sir Charles Harbord (1596 to 1679), Surveyor-General to Charles I (and many other posts). Sir Charles had acquired considerable wealth and property whilst serving under Charles I. His son William also served the monarchy. Sir Charles no doubt spotted various attractive properties under financial pressures at that time and, as a consequence, eventually held lands himself in Surrey, Lincolnshire, Nottinghamshire, Staffordshire, Suffolk, Norfolk and Hertfordshire. When in London he lived at Charing Cross, Westminster. There is a monument in Westminster Abbey to Sir Charles' third son who died at the Battle of Sole Bay.

At the end of the Civil War in 1651 Colonel Newman (cavalier) fought on the side of King Charles II at the Battle of Worcester. On 3rd September, with his army exhausted and short of supplies, Charles was forced to take refuge in the town of Worcester. In no time his army of 15,000 men were hemmed in by forces numbering more than 31,000. By nightfall Parliamentary troops were in the streets of Worcester and the fighting was ferocious.



The Earl of Cleveland led a last desperate charge down Worcester High Street to provide the opportunity for Charles and a few others to make their escape through St Martin's Gate, the only exit from Worcester still in Royalist hands. Charles' quarters were nearby. It is said that Colonel Newman was one of the men who held this gate against the Parliamentary forces enabling Charles' retreat from the city, after which the King spent weeks as a fugitive until he was able to escape to France. (According to "A Complete Guide to Heraldry" by A C Fox "The King escaped through the gate of the city solely through the heroic efforts of Colonel Newman.") Newman, with many other Royalists, was captured and imprisoned by Cromwell's men. It is also thought that either the Colonel or his father (or both of them) supported the King with money during his exile.

It would seem that Newman may not have been imprisoned for too long as the records of St Margaret's Church, Westminster, reveal the baptisms of several of his children from 1653.

The mansion house and park of Evercreech, Somerset, were purchased by either this Richard Newman or his father in 1657. As the purchaser is described as resident in the City of Westminster it was probably purchased by The Colonel?

After the restoration of the monarchy the King recalled the Colonel's loyalty and his conduct in defending the gate at the Battle of Worcester, and possibly the "loyalty and suffering" of his father too,

and he granted an augmentation to the Newman family coat of arms, an escutcheon gules charged appropriately with a crowned golden portcullis.



According to the abstract Richard Newman bought Thornbury Park on 17th May 1679. He may have already known of Thornbury, as a memorial in St Mary's Church records the death of a cousin Jane, who was the daughter of (yet another) Richard Newman of Charlton Musgrove, Somerset. (Their common ancestor was Robert Newman of Fifehead). "In memory of Jane the wife of John Baker, Gent. and daughter of Richard Newman, Gent, who had issue by the said John Baker, 13 children, 11 of which survived her. She was buried 20th Octob. 1646. As for life and conversation, she imitated her parents in virtue, was constant in her love to her husband, tender to her children, provident in her family, charitable to all and zealous in God's service which crowneth the rest. The said John Baker hath at his last farewell erected (at the place where he first brought and last left her)".

It is also possible that the Colonel knew about Thornbury from his father in law Sir Charles, who had surveyed extensively in the Forest of Dean and in the area around Bitton. Alternatively it is interesting to note that Richard's brother in law William Harbord had in 1672 become secretary to the Earl of Essex, who has already been suggested as a possible friend of John Dent, a former owner of Thornbury Park. Newman's father in law died on 25th May 1679. In his will Sir Charles left his many properties, jewels and money to his children and grandchildren. He left some money (about £1000) to be distributed to the children and grandchildren of his "daughter Newman though God be thanked they have least need of it" at her discretion. It is highly likely that Anne had already received a large sum of money from her father when she married Richard Newman.

It is thought that Richard Newman "The Colonel" was a Justice of the Peace in Westminster (probably for St Margaret Parish) and that he held the post of High Steward of Westminster. It seems he knew Christopher Wren. One record online dated 1691 has " Sir Christopher Wren of the city of Westminster, knight, Richard Newman of the same, esquire, Peter Walter of the same, gentleman, and Matthew Banks

of the same, carpenter, to Thomas Wainwright of Sandall, gentleman". These men appear to have been trustees of some money.

Colonel Richard Newman of Fifehead Magdalen wrote his will on 30th January 1693 (proved 2nd January 1696). It included " Item: Whereas I stand seized in fee simple of and in the reversion expectant after the death of the Lady Nevill of and in Thornbury Park and several Lands and Farms therewithal enjoyed situate in the Parish of Thornbury in the County of Gloucester which I lately purchased of John Cary and Giles Dent Esquires I do give and devise the said park farms and lands unto William Hon[e]ywood my son in law and Peter Walter my servant.....in trust and confidence that they shall after the death of the said Lady Nevill by lease or leases, sale or otherwise, out of the issues and profits of the premises or any part thereof pay the sum of three thousand pounds unto my grandchild Anne Newman when she obtain the age of one and twenty or the day of her marriage which shall first happen" etc, etc.

The will also mentions the four houses that he owned in Tufton Street in the Parish of St Margaret, Westminster. These were occupied by himself, his son Francis Holles Newman, the family of his daughter Frances and her husband Edward Scott and a Mrs Cooke. It also mentions another house in Tufton Street "where my daughter in law Grace Newman lives". Grace had married the Colonel's son about 1675 but he died in 1682. Grace was to continue to occupy the house during her widowhood but after her death Newman the Colonel bequeathed it to her daughter Barbara Newman. (This house was probably the house left in the will of Grace's husband Richard "of Evercreech" who had appointed his father as his executor.) Finally Richard desired to be "buried and placed next the corps of my said dear wife in the new vault which I have lately made with an isle from the Chancell of the Parish Church of Fifehead aforesaid decently and imploring GOD Almighty's grace in the meantime that the Feare of GOD may overrule me in all my thoughts words and actions that I may doe justly, love mercy and walk humbly before my GOD all the days of my life and soe assuredly I shall live with him for ever in Glory, in hopes whereof I doe rejoice exceedingly."

**RICHARD NEWMAN "OF EVERCREECH"
c 1650 TO 1682**

The Colonel's son Richard studied at Wadham College, Oxford, and was a student of the Middle Temple in 1669. In about 1675 Richard married Grace, daughter and coheir of Henry Edmonds of Preston Hall, Preston Deane, Northants, who was of Royal descent from King Edward I. They had 3 children: Richard, Anne and Barbara. Richard Newman (The

Colonel) was the executor of the will of his son Richard Newman of Evercreech Park who pre-deceased him at the early age of 32 in 1682. The will of Richard Newman of Evercreech Park (proved 26 June 1682) does not mention Thornbury Park as it still belonged to his father.

RICHARD NEWMAN "THE BARONET" c 1675 TO 1721
of Fifehead Magdalen, Evercreech and Preston Hall



Thus the Colonel's heir was his grandson Richard Newman. He attended Pembroke, Oxford. Richard inherited much of the Newman property on the death of his grandfather. In addition he inherited estates in Northamptonshire (Preston Hall etc) from his mother's family. In about 1696 he married Lady Frances, daughter and co-heir of Sir Thomas Samwell, Baronet of Upton Hall, Northampton. The couple had a number of children, some of whom died in infancy. The survivors were Samwell (name sometimes given as Samuel), Frances, Barbara and Elizabeth.

Although the abstract of title says "16 & 17 May 1679 Lease and release of all the said premises from the said Gyles Dent & John Cary to Richard Newman esquire (created a baronet in 1699) his heirs and assign for ever" this is in fact an error as it was this Richard the grandson who in December 1699 received a baronetcy, said to have been given in recognition of his grandfather's [and gt grandfather's] services to the Stuart kings. As he was still only in his mid-20s, this probably helped to promote his electoral suitability, and in January 1701 he became, without opposition, MP at Milborne Port, near Evercreech. He didn't stand for re-election in November 1701 or in 1702, and when he contested in 1705, he polled only three votes!

Presumably after the death of Lady Nevill in about 1710/11 Sir Richard would have owned Thornbury Park outright (see p. 6). The scale of the Newman estate can be seen in an estate map (held in Gloucestershire archives Reference D1655-1) that was drawn up in 1716. This gives us our earliest view of the scale of the park and how closely it is reflected in modern road and field patterns. Whilst in the ownership of the Newman family the estate

continued to be farmed by tenants, and the family didn't live in Thornbury.

The Newman family continue to be somewhat complicated. Sir Richard Newman, Baronet, died on 30th December 1721 and was buried in the family chapel in the church at Fifehead Magdalen. In his will he asked for a monument to be raised, to cost no more than £200. He left all his lands to his son Samwell, but with various sums to be paid out mainly to his surviving daughters Frances, Barbara and Elizabeth who were to receive respectively £5000, £4000 and £3000. Another £1000 was to be paid to the children of Sir Richard's sister Mrs Toll. (Anne Newman married Ashburnham Toll of Westminster c 1695/96).

SIR SAMWELL NEWMAN C 1700 TO 1747



Samwell was possibly a lawyer? He was High Sheriff of Northamptonshire in 1745. Sir Samwell had a residence in Old Palace Yard, Westminster, where he apparently died. Unusually for a man of his wealth Sir Samwell died intestate in 1747 and the baronetcy ended with his death. The administration of his estate was granted to his sister Frances Newman.

An Act of Parliament drawn up in 1754 described him at his death as "seized of and in a messuage or tenement situated in the Old Palace Yard Westminster; and also diverse messuages, lands, tenements and hereditaments in the Parish of Preston Deanery, Northampton; and of in certain lands at Evercreech Park, Somerset; and also diverse messuages, lands, tenements and hereditaments called Thornbury Park in Gloucestershire; and also diverse messuages, lands, tenements and hereditaments called Fifehead Magdalen in Dorsetshire in fee-simple; and seized of or entitled to other lands, tenements and hereditaments in Fifehead Magdalen held by him by virtue of leases granted to him and his heirs by the Bishop of Bristol for three lives therein named; and also possessed of a lease-hold messuage at Palace Yard aforesaid by virtue of and under a lease from the Dean and Chapter of the Collegiate Church of Westminster for the residue of the term of years then to come and unexpired."

THE NEWMAN SISTERS

Sir Samwell's heirs were his three sisters Frances, Barbara and Elizabeth. In theory they shared the properties and any income from them. However there was a complication. It seems in 1739 Elizabeth had secretly (or at least against her family's wishes) married an apothecary called William Kitchin. *The London Daily Post* dated 27th March 1739 reported, "On Sunday last Mr William Kitchin, an apothecary of Kings Street, Westminster, was married to Miss Newman, sister to Sir Samuel Newman Bart of Old Palace Yard, Westminster, a beautiful young Lady with a Fortune of £5000." The 1754 Act of Parliament referred to previously was made following a petition made in November 1753 by Frances and Barbara Newman to look after the properties on the behalf of their sister the then widowed Elizabeth who was described as "a Lunatick". She was said to have had "a disordered mind for 15 years past; by my reckoning this would probably have coincided with the date of her marriage! (Burke's Commoners actually records her as unmarried).

William Kitchin wrote a will in July 1752, which was proved in August 1753. He bequeathed to "my dearly beloved wife" a number of valuable items, like a gold watch and gold snuff box, all her "cloths and body linen", the best feather bed and bedding, damask and silk curtains and certain items of furniture in his house. This was given with the "express condition" that his "dear wife's relation shall quietly agree to surrender... to my executors whatsoever effects or rights...that shall be in Mrs [Miss] Newman's hands administratrix to the late Sir Samwell Newman...that at the time of my death of right belonged to me..." He described being owed a third of various financial affairs, like interest on bank stock, and then referred to being owed arrears of rent etc on the various properties owned by the Newmans, including Fifehead, Evercreech and "at Thornbury". He also mentioned the right to have a third of any of the household goods held at the various properties and that the goods in his own house left to his wife should not be removed until "Mrs [Miss] Newman shall pay [the arrears] to my executors". The Newman sisters had obviously been withholding Elizabeth's share of the inheritance, although the will mentioned that some arrears of interest on the bank stock had been paid up to midsummer 1751. Kitchin willed that all the arrears etc should be paid to his executors in trust for his daughter Martha Kitchin, who was not yet 21. Martha was not Elizabeth's daughter so presumably William Kitchin had had an earlier marriage. He wrote in the will "The reason I dispose of my effects in this manner is not for want of affection to my dear wife but because I know she will be possessed of a very plentiful fortune far beyond what she can ever want

or enjoy and that I may make some provision for my beloved daughter and her uncle and aunt both in years...".

Presumably William Kitchin's death and the demands of this will prompted Frances and Barbara to petition for the Act of Parliament. At this time husband and wife were, in the eyes of the law, a single entity with the husband the completely dominant partner. Therefore any property or lands held by the wife at the time of the marriage automatically passed into ownership of the husband. I think that by declaring Elizabeth to have been deranged at the time of her marriage, she was not able to inherit the property and therefore it could not be owned by Kitchin? The Act allowed the sisters to look after the inheritance on Elizabeth's behalf, and they then should have made a reasonable allowance out of the estate for the maintenance of her and her family.

Was Elizabeth really a lunatic or did her sisters just object to her marriage? Did Elizabeth live with her husband or was she placed in some sort of private nursing home or an asylum? What happened to her after her husband's death? All I can find out is that she died "without issue" in 1774.



The Newman sisters with Frances probably middle.

Frances and Barbara Newman seemed to have lived mainly at Old Palace Yard. Barbara died in 1763, unmarried. Frances died in 1775. In her will she left money and the properties entailed mainly to the various offspring of her cousins. Her aunt (her father's sister) Anne had married Ashburnham Toll in about 1695/96. Their eldest son Charles Toll was to have the Northamptonshire and Gloucestershire properties for his life; his wife Hester was to have an annuity paid out of these properties for her life after her husband's death. After Charles' death the Northampton properties were to go to his son James Newman Toll while the Gloucestershire properties were to go to Charles' brother Rev. Ashburnham Philip Toll and then to Ashburnham's heirs. If Ashburnham had no children these properties were to go to his younger brother Richard Newman Toll. Frances' will said that the properties were bequeathed in this way "for ever

provided always and my Will is that the said Charles Toll, James Newman Toll, Ashburnham Philip Toll and Richard Newman Toll and the Heirs Male of their respective Body and Bodies Issuing respectively as and when they shall respectively come into and be in the Actual possession of my said Estates and Premises herein before by me devised as aforesaid or any part thereof by virtue of and under the Limitations aforesaid or any of them shall and do take upon themselves and use the Sir Name [sic] and Arms of Newman and so Write and Stile themselves in all deeds and Writings and upon all occasions whatsoever...

THE TOLLS

So Charles, James, Ashburnham and Richard Toll all took (with royal licence) the surname Newman at the times they inherited the property. Ashburnham Philip Toll assumed the name in December 1775 and became Ashburnham Philip Newman "of Thornbury Park". He was vicar of Fifehead Magdalen, a Prebendary of York Minster and Rector of Ackworth. One source suggested that Ashburnham may have lived at Thornbury for a while but I can find no evidence for this. He had no children so his brother Richard was his heir and took the Newman name in 1802, becoming Richard Newman Newman.

Richard Newman Newman was born in Northamptonshire. He trained as a surgeon and in 1775 purchased the Surgeoncy of the 4th or Queen's Own Regiment of Dragoons at a cost of £500. In 1777 he married Grizel Pardy (or Purdie) of Hamilton, Lanarkshire. In 1778 the University of St Andrews awarded him the degree of M D. In 1790 he retired from the army and became a well respected physician in Hamilton. In 1802 he inherited Thornbury Park. In 1805 Newman retired and came to live at Clifton, Bristol. He had 2 sons; Henry Wenman Newman and Cecil Ashburnham Newman. In addition there were 7 daughters: Mary, Anne, Eliza, Charlotte, Susan, Isabella and Frances.

An advert from the *Salisbury & Winchester Journal* from 20th Dec. 1819 has:

GLOUCESTERSHIRE.- CAPITAL DAIRY FARM TO be LET and entered upon the 25th of March next, at Thornbury Park, near the town of Thornbury, 12 miles from Bristol, - A compact FARM, containing 168 Statute Acres, 40 of which are Arable, and the rest Meadow and Pasture, in the occupation of Mr Joseph Neale, who quits at Lady-day next. For particulars apply to Doctor Newman, the proprietor, No.7, Richmond Terrace, Clifton; if by letter, to be post paid.-- N.B. None need apply for this Farm who cannot give the most satisfactory references, or security for the rent if required; but the above is an excellent opportunity for a Man of Capital.

I think this may refer to Parkmill Farm?

Richard Newman Newman died aged 76 in 1829 and was buried in a family vault in Thornbury Church on 6th October. The Gentleman's Magazine reported that "his tenants met and joined the melancholy procession at Alveston." His wife Grizel was buried 14th August 1841; her abode was given as Westbury. She was 84. Their memorial is in Latin; can anyone translate?

Tumuli Sub Silentio Requiesit
RICARDUS NEWMAN NEWMAN, M.D.
(De Vivario De Thornbury In Hac Parochia)
Ex Natalibus Antiquis, Ortus: Homo Pervitam
Apud Superiores, Aestimatus, Inter Aequales
Honoratus, Dilectus In Suos, Obiit 29 Die Septembris
A.D. 1829 Aetatis Ejus 77.
Neque De Grizel Ejusdem Ricardi Newman Newman
Uxore, Hoc Sileat Marmor: Quae, Cumvidua
Longiorem Tolerarat Vitam, Benigna Tandem Morte
Amans Amantissimo Restitutaest,. Obiit Octavio
Augusti Die A.D. 1841. Octogesimo Quinto Aetatis
Suae Anno.

Another memorial reads "Sacred to the Memory of Anne Toll, spinster, daughter of Ashburnham Toll Esqr., of Northampton, and Granddaughter of Ashburnham Toll Esqr, of Graywell, in the County of Hants. She died at Clifton, in the 19th day of September 1824 in the 77th year of her age. Her nephew Henry Wenman Newman caused this Tablet to be erected, as a tribute to her virtues, and the humble memorial of his dutiful affection." Anne Toll died at Clifton and was apparently buried in the family vault at Thornbury.

It would seem that the family vault was established by Richard Newman Newman. As he lived at Clifton from 1805 it appears that he might have had more contact with the tenants of Thornbury Park (and perhaps with Thornbury) than many of the previous owners. Some of his children lived in the Bristol area. His eldest son Henry Wenman Newman lived in Clifton. He inherited Thornbury Park in 1829.

THE ISSUE OF THE REVERSION EXPECTANT

John Dent of Thornbury Park in his will said that he confirmed the settlement of his Gloucestershire lands made on his marriage to his wife Sarah Rochdale. Other property was devised to his wife for the term of her natural life, and after her decease to male heirs of his body and for want of such issue to his sister Katherine Dent and her heirs male and for want of such issue back to John Dent's heirs. John also devised other property to his heirs male of his body and for want of such issue to his uncle Giles Dent and his heirs male.

The National Archives has some documents (Chancery, the Wardrobe, Royal Household, Exchequer C 7/527/31 and C 7/552/91) about a litigation dated 1676. Plaintiffs "John Cary & others" v defendant Giles Dent about property in Thornbury, Gloucestershire. Could this litigation have taken place after the death of Cary's wife Katherine nee Dent? From the abstract we know that Giles Dent* and John Cary sold Thornbury Park to Richard Newman.

The abstract of title has: *20 & 21 July 1658 Settlement of the said premises at Thornbury on the marriage of the said John Dent with Sarah Rochedale spinster, viz, to the husband for life to the wife for life remainder to the heirs of their two bodies.*

I suspect that John Dent's marriage settlement must have been more detailed and probably entailed it, if he had no direct heirs, to his sister Katherine Dent and her heirs male and for want of such issue back to John Dent's heirs, possibly named as his uncle Giles Dent and his heirs male. John's sister Katherine married John Cary but didn't have any surviving children, so Giles Dent could have been the next in line to inherit after the death of John's widow Sarah. Meanwhile Sarah married Sir Thomas Nevill. The National Archives has another document – a Certificate of residence dated 1664 showing Sir Thomas Nevill to be liable for taxation in London, and not in the hundreds of Thornbury and Henbury, Gloucestershire, the previous area of tax liability. Does this imply that the couple were actually living in this area at some point? If so where were they living? There was no suitable house at Thornbury Park.

(*I think John Dent's uncle Giles Dent died in 1671 so the Giles Dent mentioned after this date was his eldest son and heir, also Giles Dent, John Dent's cousin.)

Having thought about this a bit more and following a discussion at the research group meeting we think this may relate to the way property was sold in the past under the system of "Lease and Release". This system of conveyance was invented about 1600 and gained popularity, superseding the earlier "bargain and sale" and the "feoffment". The lease and release format was also used to convey property for the purposes of mortgages and settlements.

First, a leasehold interest in the land was conveyed from A to B by means of a bargain and sale ('the lease'). This puts the purchaser in possession as TENANT. This bargain and sale did not have to be enrolled, because it did not transfer freehold property. It was not a real lease because the intention was to follow it with a release in order to convey the freehold. The term of the lease, the consideration money, and the rent specified in the lease were all nominal. Usually the land was bargained and sold for

a term of 6 months or 1 year, for a nominal consideration of 5 shillings, and a rent of one peppercorn per year.

At some point afterwards - usually the next day, but not always - A conveyed the reversion of the lease, that is, his right to the freehold property, to B or his trustee ('the release'). At this point the real consideration money for the property was paid. B was now the owner of the freehold. Releases often involved a number of different parties, especially if they were drawn up as part of a family settlement. It can be quite hard to determine exactly what part each party was playing in the transaction.

So in our case could the gap between the lease and the actual full release be 31 years? Did Richard Newman have right of entry and use of the land as a tenant, perhaps paying a rent to the Nevills until Lady Nevill's death resulted in the full ownership of Sir Richard Newman? Perhaps the newmans did not pay the full purchase money until Lady Nevill's death.

It does not help that the person drawing up the abstract seems to have missed the Nevills out. Perhaps it was too complicated!



The images of the Newmans are taken from a funerary monument to Sir Richard and Dame Frances Newman thought to have been erected after the death of their son Samwell in 1747. It was created by the Westminster sculptor Sir Henry Cheere. The monument is at Fifehead Magdalen and was probably commissioned by Frances and Barbara Newman. Sir Henry Cheere lived next to the Newmans in Old Palace Yard.