GREAT STAUGHTON AND ITS PEOPLE

HOW A HUNTINGDONSHIRE VILLAGE MADE ITS MARK ON ENGLAND'S HISTORY

by

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Mr Duberly acquires an estate in Great Staughton

The exact origins of the Duberly name are lost to history. In the reign of Edward I (1272–1307), a Henry de Dubele served on a jury deliberating on a dispute involving the abbot of Evesham and this Dubele may represent one branch of the family. Subsequent records are scarce but by the sixteenth century the Duberlys had settled in Herefordshire. The name then was spelt variously as Dubarle or Dubberly, which gave rise to the theory that the name may ultimately be of German origin. However, it is more likely to derive from the Flemish or Walloon weavers who fled their native lands following the persistent persecution of the Huguenots.

By the early seventeenth century the family had settled in Monmouthshire and for over a century the Duberly name featured amongst the prosperous citizens of the county. It was George Duberly, born in 1681, who first established a draper's business in the town supplying army uniforms. George's son, also George, was appointed High Sheriff of Monmouth in 1769. In 1776, the crest and arms of Duberly were granted at Dingestow, some four miles south-west of Monmouth. At his death in 1775, George Duberly Snr. left two sons, Henry James and George, and it was the elder, Henry James, who was to develop the draper's business significantly, but not from Monmouth. Henry moved the business to St Paul's Covent Garden, where it flourished, enabling Henry and his wife Elizabeth to purchase Eynsham Hall in Oxfordshire.

When Henry died without issue, control of the family business passed to his nephew, James Duberly, who wasted no time in expanding the business. James Duberly was born on 21 October 1758 in Monmouth, at a time when Britain was on the cusp of the Industrial Revolution and was also facing serious threats from France in the increasingly rebellious Canadian and American colonies. James Duberly was an ambitious man and under his management, the business prospered. Although he was in trade, an 'army taylor', his social status as the grandson of a former High Sheriff of the county and his business acumen brought him influence beyond the borders of his county.

The Howards of Hampstead

In 1766, six years into the reign of George III, Gerrard Howard of Hampstead and his second wife, Ann (née Mawhood), announced the birth of their only daughter, Rebecca Elizabeth, born on 5 March 1766. Gerrard Howard was a prosperous landowner, Justice of the Peace and Deputy Lord-Lieutenant of Middlesex. The family was related by marriage to the Dukes of Norfolk and can thus be considered members of the minor aristocracy. By the time of Gerrard Howard's death in 1781, the family fortune was almost spent. And then there was the question of the marriage prospects of the attractive and intelligent twenty-year-old Rebecca.

It was fortunate that James Duberly was smitten when he first encountered Rebecca Howard socially. Ann Howard, however, did not share this enthusiasm for the Monmouth 'army Taylor'. Nonetheless, in 1787, the engagement was announced between the 29-year-old James Duberly of Monmouth and the 22-year-old Rebecca Howard of Hampstead.

Even before the wedding, Charlotte Papendiek, lady-in-waiting to Queen Charlotte, George III's consort, wrote in her memoirs, *Court and Private Life in the Time of Queen Charlotte:* 'Mr. Papendiek told me of D's intended marriage with a daughter of the late general in the army … None of his family approved of the match, but he nevertheless proceeded with it and married.' Mrs Papendiek recorded an ugly moment when the snobbish Ann Howard informed Mr Duberly that 'those friends to whom you introduced her, as well as your own family, move in a very different

society from what she has been accustomed to, and she was not happy' to which James Duberly responded phlegmatically: 'My family are worthy, friendly people, and my wealth that you looked after for your daughter has been appropriated to her advantage, both present and future.'

On 15 November 1787, James Duberly, 'in the prime and vigour of life' (to quote the later court documents) married Rebecca Elizabeth Howard at St Anne's Church, Soho, and the couple moved into James Duberly's newly acquired mansion at 35 Soho Square. Mr Duberly also had a country cottage in East Sheen, to which the couple were to repair at weekends and during the summer. Two children were born of the union: son and heir James in 1788 and a daughter, Ann, in 1789.

James Duberly, now a member of the London *haut ton*, wasted no time in demonstrating his fitness to be worthy of his new social status. He rented a large room in Brewer Street, Golden Square, where he instituted a series of subscription concerts and dances. Mrs Papendiek, whose musician husband was a vital contributor to the success of these soirées, attended many of the concerts. She recalled: 'The first of Duberly's was a dance beginning at eight and ending at twelve o'clock and it went off very well. I danced with Duberly and Salomon.' The Salomon mentioned by Mrs Papendiek was the celebrated impresario Johann Peter Salomon, who had brought Joseph Haydn to London in 1791–1792 and again in 1794–1795. A musician himself, Salomon conducted the first performances of the twelve 'London' symphonies that Haydn composed during his sojourns in the capital.

Although the marriage was blessed with the two children, all was not well in the Duberly household, as Mrs Papendiek was to discover: 'I went to London once more to attend a musical night of these pleasant subscription meetings. … Mr. Duberly was there, but not his lady, who seemed to be no longer inquired after … her desire appeared to be to show that she did not wish for their society.'

The relationship between the Duberlys and the Papendieks did not confine itself to mere friendship and a love of music. Charlotte Papendiek: 'I knew that Duberly, the army clothier, had already asked Mr. Papendiek to get orders for him from regiments.' James Duberly's business, supplying uniforms to army regiments continued to prosper. Despite the outward success of the union, the attractive 22-year-old Rebecca Elizabeth Duberly, if not actually unhappy with her married status and the financial security it brought her, may well have welcomed a little more excitement in her life. It was not long in coming.

It was almost certainly due to the influence of Christopher Papendiek that in 1788 James Duberly secured a lucrative contract to supply uniforms to the 65th Regiment of Foot, whose commanding officer was General John Gunning, who recorded the moment: 'When I obtained the command of the 65th Foot in the beginning of the year 1788, I first became acquainted with Mr. D[uberly] of Soho Square, who undertook to clothe it [i.e. the regiment] for me upon much more liberal terms than any other person in his line of business.' Gunning also foresaw that Mr Duberly's purse 'might prove very serviceable to me in case of necessity'. Contracts for the supply of army uniforms were a lucrative business. Until 1751, the style and design of army uniforms had been a haphazard affair. In July of that year, King George II issued a warrant to Lieutenant General Roger Handasyd's regiment specifying the style of the uniform and the colours to be borne not only by his soldiers, but that every regiment should observe a common standard in respect of their uniform.

John Gunning

The Gunnings' ancestral home was Castle Coote, County Roscommon, Ireland. Related through marriage to the 6th Viscount Mayo, John Gunning senior and his wife Bridget resided at the Manor House in Hemingford Grey, occupied later by Lucy Boston (LM Boston, author of *Anne of Green Gables*). The Gunning family lived in genteel poverty, but they did possess two remarkable assets, their daughters Maria (1732–1760) and Elizabeth (1733–1790), dubbed the 'Gunning Beauties', whose captivating beauty propelled the Gunning family into the highest ranks of Georgian society. In 1752 Elizabeth married the dissolute, gambling Duke of Hamilton. On his death in 1758, she swiftly ensnared the heir to the Dukedom of Argyll. Maria enjoyed an equally spectacular entrée into Georgian society, marrying the Earl of Coventry. For his part, John Gunning, born c. 1741, married into a less elevated rank in society. Whilst serving as Captain of the 49th Regiment of Foot in 1768, he married, at the age of twenty-seven, Susannah Minifie, daughter of James Minifie DD, a Somerset clergyman. It was not a match either to bring a substantial dowry, nor to ease the ambitious Gunning's entrée into the *haut ton*.

Gunning's military career had taken him to Portugal during the Seven Years' War (1756–1763) and during the American War of Independence he saw service at the Battle of Bunker Hill, a 'sanguinary affair', according to the official history. Thereafter, John Gunning devoted himself to his preferred lifestyle of idleness and hedonism, easing himself into London's *beau monde* thanks to his well-connected sisters. In 1788, promoted to the rank of General, he was given command of the 65th Regiment of Foot, a position which first brought him into contact with James Duberly.

An uneasy friendship between the two men followed, motivated by gratitude on James Duberly's part at having secured a lucrative contract and anticipation on Gunning's part at the possible capacity of the Duberly purse. General Gunning insinuated himself into the family more as a valuable business acquaintance than a friend, but his engaging personality and a past history redolent of glamour, danger and sophistication were proving a source of fascination for one member of the Duberly household, Rebecca, James Duberly's increasingly distant wife.

Intrigue

General Gunning's smooth progress into the upper echelons of London society was brought to a dramatic halt in early 1791 in a grotesque affair of forged letters dubbed 'the Gunningiad' by Horace Walpole. The affair shredded Gunning's carefully cultivated relationships with the *haut ton* and provoked a scandal that was the talk of polite society. Tradesmen came knocking at Gunning's door, demanding payment of outstanding monies, bailiffs threatened legal action. In his hour of direst need, Gunning found a saviour in the form of James Duberly. A cheque for £2,000 was produced and Gunning's debts were settled. Duberly went further, arranging for Gunning's house to be sold and inviting him to move into the Duberly family home at 35 Soho Square, a fashionable district where Sir Joseph Banks, Captain Cook's botanist, was a near neighbour.

It was not long before Gunning's eye was caught by the 'beauty, youth and sweetness of disposition' of the lady of the house, who must have found the solicitous company of this man of the world, telling tales of his military derring-do, a man with impressive connections to the royal circle, in startling contrast to her industrious and frequently absent husband.

Little did James Duberly realise the 'serpent he was fostering in his breast' as Gunning, now ensconced in close proximity to Rebecca Duberly, began to insinuate himself into her affections, 'with the grossest violations of beneficence and hospitality'. For two months in the autumn of 1791, Gunning lodged with the Duberlys in Soho Square, before moving to a new apartment in the then relatively new suburb of Somers Town. Gunning displayed a conduct 'most correct' and

his behaviour was that of 'a polished gentleman'. As for Mrs Duberly, could there be any woman 'more correct in her extrinsic behaviour?' The flattering attention Gunning paid to his hostess finally broke down her defences and before long the couple were embroiled in a full-blown affair.

A scandal

A routine was swiftly established. The Duberlys and Gunning spent the weekend in East Sheen, making it too difficult for Gunning and Rebecca to indulge their passion. It was James Duberly's custom to depart for London on the Monday morning, and on several occasions the adulterous couple were nearly undone. One day James Duberly returned unexpectedly early and could have caught the couple *in flagrante* but thanks to the quick thinking of Mrs Duberly's confidential maid, Gunning was quickly kitted out in a gown, ragged petticoat, apron and mob cap. Mr Duberly, 'little imagining a general officer of Great Britain could be disguised in the shape of an old woman, passed without the smallest suspicion'. Panic over, Gunning made his getaway via the back door and into his carriage, which usually awaited him there in case of just such an emergency.

The blissful liaison was to last until 25 September 1791, when Gunning learned to his dismay that the Duberlys were to spend two months out of town. He prevailed upon Mrs Duberly 'to indulge me with the possession of her person for one night previous to her departure'. The couple's plan was to pretend that she had business in Sheen, but in reality, she and Gunning would find accommodation in a Clapham tavern, 'indulge themselves' for the night, returning to London early the following morning. The lovers' carefully laid plan went wrong. John Gunning departed for town in his carriage in his usual dilatory fashion and was quickly overtaken by the energetic Mr Duberly, who was going to town to procure a horse for an intended journey to Bath. After an exchange of greetings, Gunning efficiently effected an about turn and rapidly returned to the arms of his inamorata. Meanwhile, Duberly, having secured the horse for his journey to Bath, commanded his servant to return to Sheen, with an instruction to Rebecca to look after the horse. The servant came back to the waiting Duberly with disquieting news. Rebecca Duberly was not at home. She had taken the coach to Mortlake that morning.

The deceit

When Rebecca finally returned to the family home, the 'tortured, anxious' Mr Duberly demanded in no uncertain terms to know where she had been and with whom. To a friend, Mrs Gardner in Richmond, Rebecca replied, they were to go to the theatre that evening. Duberly, unconvinced by his wife's explanation, immediately set off to Mrs Gardner. In a panic, Rebecca rushed to Gunning's lodgings and poured out her tale of woe. Gunning then summoned his carriage and raced to Richmond, only to find Duberly had got there before him. With admirable presence of mind, Gunning wrote a short note to Mrs Gardner asking her to say that she (Rebecca) had spent the night with her. Mrs Gardner's response was to hand over Gunning's letter to Duberly. As the subsequent trial made clear, 'on the succeeding day the 26th of September, the defendant had criminal intercourse with the plaintiff's wife'.

The game was up. Rebecca and Gunning repaired to the Somers Town lodgings from where Gunning and Rebecca both wrote tearful letters to Duberly begging for forgiveness. It was too late. Even Rebecca's heartfelt plea to her husband had no effect: 'that our Great Redeemer forgave the woman taken in adultery, oh be my redeemer and by the love you once bore, by the love you bear our tender babes, soften your heart'. Duberly did not even deign to open the letter. Rebecca Duberly was despatched back to her mother in Hampstead. James Duberly was not finished yet with John Gunning. He sent in the bailiffs to recover from Gunning a loan of £130 he had given

him. The debt was not repaid and Mr Duberly had no recourse other than to have Gunning confined to 'the magical compass of a spunging-house'. They were not welcoming places. A description by a later unwilling resident tells the tale: 'what a place! I had an apartment … about the size of one of the beast receptacles at the Zoo. For this luxury, I had to pay two guineas a day. A bottle of sherry cost a guinea, a bottle of Bass half-a-crown.' Gunning was eventually rescued by two honest men who went bail for his debt. That they were a linen-draper and accoutrements-maker invites suspicion that they had ulterior motives for their generosity towards a senior officer responsible for the purchase of regimental uniforms.

Within two months James Duberly had sued for divorce on the grounds of his wife's adultery with John Gunning. In the legal terminology of the time, Rebecca Duberly was accused of crim.con, criminal conversation or in plain words, intercourse with a man not her husband.

The trial

The trial between James Duberly Esq, plaintiff and Major-General Gunning, defendant, for criminal conversation came up at Westminster on Wednesday 22 February 1792, the Right Honourable Lord Kenyon presiding, with a jury consisting of twelve specially chosen citizens. The *London Magazine* or *Gentleman's Monthly Intelligencer*, in volume 43 of the 1774 edition presciently summarised the essential facts of the case. 'Is it not a riddle that many of our ladies who are modest, sober women should admit into their company men of the vilest principles and worst of characters and should prefer the greatest rakes for husband to men of virtue and sobriety?' The trial itself caused a sensation and shortly afterwards, a summary of the proceedings appeared anonymously in print, with a preface which flatly though unconvincingly denied that its aim was to 'titillate the prurient imagination of obscenity, or even to raise a blush on the cheek of the most modest female'.

The TRIAL OF GENERAL GUNNING FOR CRIMINAL CONVERSATION WITH MRS. DUBERLY, WIFE OF MR. DUBERLY;
Before Lord KENYON, and a special Jury, in the Court of King's Bench, on Wednesday, Feb. 22, 1792

As a teaser, the pamphlet offered a bonus that would certainly bring a blush to a maiden's cheek: 'Many curious Particulars; among others, an account of an extraordinary Game of Blindman's Buff; in which the Parties towzled each other Upon the Carpet, &c. &c.'

The plaintiff James Duberly was represented by Messrs Erskine, Shepherd and Wood. Lawyers for the defendant, Major-General John Gunning, were Messrs Bearcroft, Mingay, Bower and Baldwyn.

In Thomas Erskine, 1st Baron Erskine KT PC KC (1750–1823), James Duberly had secured the expensive services of one of the most celebrated lawyers in the country, later to become Lord Chancellor of the United Kingdom.

The case for the plaintiff

In his opening statement, Mr Erskine emphasised the personal rectitude of Mr Duberly: '[he] is an eminent contractor of cloathing for the army; he is handsome in his person, and in the prime and vigour of life'. The marriage between Rebecca and James, he continued, 'was a union solely of inclination and affection'. Erskine went on to explain the eminently respectable Mr Duberly's connection to John Gunning. The latter had recently been appointed to the command of a

Regiment of Foot and the contract to supply the regiment's uniforms went to the 'clothier' James Duberly, an arrangement that certainly benefited Mr Duberly but with seemingly no corresponding advantage for Gunning. Mr Erskine contrasted the two men and pulled no punches: 'the plaintiff was in the prime of life. The defendant was near 60 years.' In fact, Gunning was fifty-one years of age. James Duberly was 'presentable', whilst the defendant was a 'decaying edifice … General Gunning's frame is infirm and disjointed – his hands are crippled – his feet lame.'

Mr Erskine briskly summarised the events of 25–26 September: Mr Duberly's urgent mission to London to procure a horse for his intended visit to Bath; Gunning simultaneously *en route* to London and his coach being overtaken by Mr Duberly's; Gunning then doubling back to Rebecca in East Sheen; his hastily scribbled note to a Mrs Gardner, imploring her collusion in his deceit.

Erskine read aloud Gunning's incriminating letter, containing the trumped-up excuse concocted by the guilty pair. 'My dearest Mrs. G[ardner]. Your dear friend R.E.D. [Rebecca Elizabeth Duberly] will be ruined if you do not tell D. that she slept last night with you.' The letter gave elaborate instructions to Mrs Gardner on what she should say to allay Mr Duberly's fears. The letter is signed 'John Gunning' with a note: 'Your servant has orders to give you this privately.' Gunning added a postscript: 'If you have already told Duberly that she was not with you, you can now say, that you only said so in order to prevent his being angry.' The indignant Mrs Gardner had immediately handed Gunning's letter over to James Duberly. As would become apparent, James Duberly and Mrs Gardner were friends of long standing. Mr Erskine made short work of this subterfuge, saying that Mr Duberly had spent two days in search of his wife, learning that 'she dined on one day at the Piazza Coffee-house and that she was then at Somers Town'.

The witnesses

Mr Erskine summoned witnesses to testify to the deceit of Rebecca and Gunning. Jane Scott, whose father kept *The Plough* inn at Clapham, testified that 'a lady and a gentleman came there at about three o'clock, dined, supped and slept there … The following morning, she went into the room and found the pair in bed together … Since that period, she had seen General Gunning in a sponging-house, and instantly recognised him to be the gentleman who had slept with the lady.' Another witness confirmed that the couple had also rented a room for the night at the Osborne Hotel and on the following morning she had seen the couple 'standing close together'. Brought before the court, witness Mr Macdonald stated that General Gunning 'had been confined at a sponging-house five or six weeks, at the suit of Mr. Duberly'.

Having successfully shredded Gunning's character, Mr Erskine proceeded to demolish his attempt to explain away his conduct. Another letter from Gunning was read out to the jury. It was sent to Mr Duberly: 'Sir (it began) In consequence of the unhappy event of yesterday I received Mrs. Duberly as a sacred deposit, until the tenderness of her family might be exerted to restore her to her former situation.' The self-serving letter continued, ending with a final exculpatory flourish: 'In regard to my future plan of life, your security with respect to pecuniary matters shall always hold the first place in my thoughts, I am, Sir, &c. John Gunning.' It was certainly true that 'pecuniary matters' would be uppermost in the thoughts of the ever-penniless John Gunning: James Duberly had lent him the not inconsiderable sum of £2,000.

Gunning's letter arrived at the same time as a contrite explanation of her behaviour from Rebecca Duberly: 'Dear James, Although my heart bleeds for my conduct – though I have injured you in the most tender point, yet so great is my shame, that I cannot, dare not – see you …… Teach [their children] not to despise their mother.' At this point, Mr Erskine broke off theatrically

from reading the remainder of the letter, saying that 'I have not nerves'. Concluding his opening address, he addressed the jury: 'Gentlemen of the jury … I conjure you, by your regard for the public good; if such persons as the defendant are not punished, and if men's domestic comforts are thus to be invaded with impunity, the energy that unites the human race will be lost, and the welfare of the state at large endangered.'

Character witnesses for James Duberly were then called. Mr Rogers, clerk to Mr Duberly for several years, recalled that the couple seemed perfectly happy together, although he admitted that he was rarely in their company socially. Cross-examined by Mr Bearcroft, for the defendant, Mr Rogers denied knowing of Mr Duberly's connection with other women since his marriage, 'nor had he been employed in carrying letters between him and any other person'. It was clear that the defence team would now try to prove, or at least imply, that the rosy marriage between James and Rebecca Duberly was not 'a union solely of inclination and affection'.

Another witness was George Duberly, James's brother, who was cross-examined by Mr Mingay, solicitor for the defendant, who demanded to know if he could recollect what had transpired at the Ranelagh club, where George and James Duberly had dined with General Gunning. George indignantly responded that nothing untoward had occurred; indeed, the two brothers had returned home to Soho Square. No, he did not recollect any conversation between his brother and his wife concerning the party at Ranelagh. And he most certainly did not let his brother James in at four o'clock in the morning.

The case for the defendant

It was now the turn of Gunning's lawyers to present their case. In his opening remarks to the jury, Mr Bearcroft sought to dispel the negative impressions of his client described by the plaintiff's counsel. However, Mr Bearcroft was at pains to point out that 'I am no advocate for the sort of trespass attributed to him [Gunning].' In other similar crim.con cases, he stated, damages as high as £10,000 had been awarded, but there were others 'though the plaintiff was a baronet and privy counsellor, the jury awarded him only five shillings'. Bearcroft urged the jurors not to rush to judgement: 'hang the scales of justice even and that you may determine to which class, between the five shillings and the £10,000, this case belongs'. (A reference to the criminal conversation case for £20,000 brought in 1782 by Sir Richard Worsley, 7th Baronet against George M Bissett. Worsley was awarded one shilling in damages.) Conceding that adultery had indeed taken place, Mr Bearcroft ridiculed the assertion made by the counsel for the plaintiff that 'such perfect happiness existed between the plaintiff and his wife' claiming that his learned colleague Mr Erskine had 'miserably fallen off in the proof of it'. He poured scorn on the witnesses called in Mr Duberly's favour. Why so few servants as he has so many? Why only call as witnesses occasional irregular visitors to the Duberly household? Why were not 'the mother, the brother, all the near relations' called if you 'desire to know how the parties lived together'? He then carried the fire to the plaintiff's counsel. 'There may be circumstances which may tempt a woman to infidelity even with an object not altogether desirable.' Such circumstances, Mr Bearcroft suggested, might be recrimination, revenge, inattention, neglect or inconstancy. And was it not true, he suggested, that 'Mr. Duberly was engaged in amours with other women … this injured man consoled himself with a lady whom he kept before his marriage. – He visited her at midnight and stayed late. I do not know if I can prove a criminal connection … for if he visited her at unseemly hours, the five shillings damages will be more than sufficient for him.'

'A life of extreme gaiety'

Mr Bearcroft intended to call witnesses to testify that the Duberlys led 'a life of extreme gaiety'. He began soberly. There was a *partie quarrée* at Mr Duberly's, consisting of Mr and Mrs Duberly, Mrs Gardner and John Gunning (a *partie quarrée* may be rendered as a foursome with all that this implies in the relationship between the couples). Pointing out that it would be extremely inappropriate for a man and his wife to have played together at any game but whist, Mr Bearcroft outlined the lascivious goings-on that ensued. The candles at Mr Duberly's were often put out, and 'this old boy of 60, [Gunning was 51] with the rest of the *partie quarrée*, began to play blind man's buff'. Unsurprisingly, John Gunning, 'the ancient rascal', with his infirmities, fell and the carpet 'was in a curious condition – rumpled and powdered'. What was learned counsel inferring? Mr Bearcroft would call witnesses who would confirm his assertions, although he acknowledged that it would be difficult to extract any information from them, but he intended to persist. In the meantime, he would make a comment on Gunning's financial affairs. Not to put too fine a point on it, Gunning was broke. He had £500 a year income and a property in Ireland mortgaged for £8,000.

Allegations against Mr Duberly

Mr Bearcroft called Ann Coleman, who lived in Bath and formerly lived with a Mrs Skipper of Goodge Street about five years ago. She stated that 'she was acquainted with the plaintiff, who kept her mistress when she first went to live with her, in the year 1787 … the plaintiff continued to visit her subsequent to his marriage … he visited her mistress in the evening and stayed generally till one or two in the morning'. Ann Coleman stated that she had observed 'several indecent familiarities between them'. This seemed to explain why Mr Duberly rushed to London to obtain a horse for a visit to Bath on 26 September.

In the face of this seemingly damning evidence of Mr Duberly's perfidy, Mr Erskine intervened. He put it to Miss Coleman that she was unaware that Mr Duberly was visiting Mrs Skipper with a view to settling an annuity on her, as Mr Duberly would cease to see her after his marriage to Rebecca. Nevertheless, Miss Coleman was sure that the plaintiff visited Mrs Skipper more than six times in a year.

The next witness was Elizabeth Hurst, a servant in the Duberly household for about three years. Her testimony reinforced the accounts of *parties quarrées* and gave details of some of what went on at such gatherings. She told the court that General Gunning was a frequent visitor to the house, and 'was often left alone with Mrs. Duberly on evenings'. Mrs Gardner was also a constant presence in the household. One evening after the four of them returned from dining in Soho Square, they retired to the drawing room 'without candles'. Elizabeth Hurst went to the room to tidy up and was shocked to find the carpet and furniture in disarray. The green cloth on the floor was drawn up in heaps and covered in powder. On moving the sofa, she retrieved one of Mrs Gardner's ear-rings.

Miss Hurst recollected that 'they had frequently amused themselves at Pharo (a popular gambling game played with cards) and blind man's buff'. Not only that but she had good reason to believe that 'something very improper passed between them, from their behaviour'. On another occasion, she had observed Mrs Gardner and Mr Duberly and General Gunning and Mrs Duberly playing very improperly in the garden. It seemed to Elizabeth Hurst that they were *agreed*. When asked what she meant, she replied that Mrs Gardner often sat on Mr Duberly's knee and Mrs Duberly on the General's.

Then there were the letters. Elizabeth once saw a letter from Mrs Gardner to Mr Duberly and often saw General Gunning's boy bring two or three letters in a morning to Mrs Duberly. The complaisant Mr Duberly did not seem unduly troubled by this conduct; indeed, he often carried the letters from the boy to his wife. Cross-examined by Mr Erskine, Hurst admitted she had not seen Mrs Duberly or the General since leaving her employ. She agreed that the couple seemed to be fond of each other. She was unaware of any indecent familiarities taking place.

Erskine's final address to the jury

The evidence was now concluded and in his closing address to the jury, Mr Erskine sought to dismantle Mr Bearcroft's assertion that Mrs Duberly's misconduct was born of a spirit of revenge at what she considered the inconstancy, the neglect, the breach of trust and alleged infidelity of her husband, which had caused her to descend 'from a celestial bed to prey on garbage'. Had my learned friend produced any evidence in support of his assertions? He had not. As for the witnesses, they have all attested to the warmth of the relationship between the Duberlys. The defendant clearly had a swaggering contempt for the court, for he admitted he is 'living in open and adulterous commerce and … Mrs. Duberly is at this very moment pregnant by him'.

Mr Erskine poured scorn on the opposing counsel being reduced to attempting to subpoena witnesses in a desperate attempt to blacken the character of Mr Duberly. As for Mrs Skipper, it was only the day before that this affair had come to light and besides, since his marriage, Mr Duberly had had no relationship with the lady. His visits to her were solely to arrange the payment of an annuity. He dismissed the testimony of the various servants called in Gunning's defence: 'God knows what a situation we would be in if the honour of families depended on them.'

Erskine now turned to the letter written by Gunning to Mrs Gardner: 'R.E.D. will be ruined if you do not say she was with you last night.' Why should she be ruined if Mr Duberly acquiesced in her behaviour? The letter concluded: 'you can now say that you only said so because he should not be angry'. Mr Erskine pressed the point: why would James Duberly be angry if he was unconcerned at his wife's behaviour? Could he have deemed it remotely possible that his wife would take up 'with such a mummy?' As for Gunning himself, Erskine tore into his character. He quoted a letter from Gunning to Mr Duberly: 'You have been a friend to me in distress, you have lent me money, I acknowledge your friendship, but you have a handsome wife, and my principles … will not prevent me from endeavouring to debauch her.' And with that final flourish, the counsel for the plaintiff rested and he left to the jury his 'client's case with cheerfulness to your determination'.

The summing-up and verdict

In his summing up, the judge, Lord Kenyon, swiftly came to the key points of the case. Adultery had been proved. The plaintiff's conduct could not be ignored, but he always acted with propriety, which might justify large damages being awarded. There are, the judge observed, lights and shades in offences of this nature. It was clear that the judge was unconvinced by the case for the defence, but on the other hand: 'I confess I feel as much abomination as you can for this hoary, this shameful, this detestable lecher.' The jury then retired to consider the evidence; after a short deliberation, they gave their verdict, and the not inconsiderable sum of £5,000 in damages was awarded to James Duberly.

Aftermath

The question that remains after the judgement was delivered is a simple one: what could have attracted the beautiful Rebecca Elizabeth Howard to a 'hoary old lecher' twice her age? One answer was provided in a remarkable book published in 1792, mere months after the trial of General John Gunning. It was entitled, *Apology for the life of General Gunning*. The *Apology* followed the traditional template of libidinous memoirs: a few pages of maudlin self-pity and sham remorse followed by an inflated catalogue of the lothario's conquests. No author credit is given, but it is thought that the shaping spirit behind the book, if not the actual author, was John Gunning. It was certainly written by someone with intimate knowledge of the old philanderer. The incidents recounted in the memoir were almost certainly lifted from contemporary novelists such as Richardson and Smollett.

The *Apology* is an entertaining fiction but at the heart of this debauched, false and dissembling account, aspects of the real John Gunning may be lurking. Gunning, the silver-haired, silver-tongued rake was persistent, attentive, plausible and passionate and he successfully ensnared the apparently respectable wife of the wealthy and successful businessman James Duberly. Was Rebecca Duberly a willing participant? When she absented herself from her husband's musical soirées early in their marriage, as Mrs Papendiek recorded, how was Rebecca Duberly occupying her time? Was she perhaps at the theatre enjoying the stage debut of the 'clown prince' Joseph Grimaldi?

An amusing postscript to the *Apology* was added in the form of a letter dated 22 February allegedly written by a friend of Gunning immediately after the conclusion of the trial. 'Remember me to your dear little seducer … A propos, I beg I may be looked upon as the sponsor of the sweet embryo … As it will be the child of iniquity, where can you find so proper a god-father for it as an attorney?' Rebecca Duberly's biographer, however, records that Rebecca Duberly gave birth to a daughter in summer 1794.

Flight

After the trial, the pregnant Rebecca and Gunning fled abroad across revolutionary France, before settling in Naples, where, in the summer of 1794, Rebecca Duberly gave birth to a daughter, Ann, who was christened in that city on 15 August. On 2 September 1797 General John Gunning died of the dropsy at the age of fifty-six. In his will, he made provision for his natural daughter and for Rebecca. Following Gunning's death, Rebecca Duberly made the hazardous journey across Napoleonic France, taking only her baby daughter Ann and a manservant and returned to take up residence with her mother in Hampstead. Her remaining years were difficult financially and she died at the early age of thirty-seven in 1803. She was buried in Hampstead Parish church in February 1804.

A country retreat

In the year of Gunning's death, 1797, James Duberly, perhaps deciding that a country retreat might be a welcome relief after the scandal of the court case and divorce, purchased Gaynes Hall, the spacious mansion in Great Staughton. He immediately commissioned the noted landscape designer Humphry Repton (1752–1818) to undertake improvements and alterations to the gardens and Gaynes Hall became the seat of the Duberly family until the Second World War. The retreat from fashionable London society may also have been prompted by the production at the Haymarket theatre in London on 15 July 1797 of George Colman the Younger's play *The Heir at Law*, which became one of the most popular plays of the day. The leading character, Dr Peter

Pangloss (the name is borrowed from the naïve optimist of Voltaire's 1759 satire, *Candide*), is a pompous teacher hired to tutor the merchant Daniel Dowlas, who has recently been elevated to the peerage under the title of Lord Duberly.

James Duberly was knighted by George III in 1803, on account, it was said, of the excellence of his horses. Following Rebecca's death, he married again in 1805 to Etheldreda St Barbe and the couple had four children. James Duberly died at his residence of Gaynes Hall, Great Staughton, in 1832 at the age of seventy-four and was buried in the church of St Andrew.