

## The back story

### [This is a condensed summary of the sequence of the events]

Perient Trott purchased 20 shares of land principally located in Hamilton Tribe and Warwick Tribe in Bermuda (as well as in some other Tribes) from Robert, the 3<sup>rd</sup> Earl of Warwick in February 1659. He had also separately acquired a number of (about 8) other shares in the other Tribes (now 'parishes') in Bermuda.

Perient Trott himself never visited Bermuda. His son, Samuel Trott, was originally sent over by his father as his agent to run the family's affairs in Bermuda, some time in the early 1660s, where he lived for the rest of his life at Walsingham House, now popularly known as 'Tom Moore's Tavern'.

The precise cause of the conflict that followed some years later is open to a number of possible interpretations, but the most plausible are our old friends, jealousy and greed; perhaps it was because Trott became much more successful at making profits from the tobacco trade than the Warwick family had; or perhaps it was because Trott purchased the shares from the 3<sup>rd</sup> Earl of Warwick for much less than they were worth, possibly at a time when the notoriously spendthrift Earl was hard pressed for cash to pay his enormous debts, despite his even more enormous wealth.

But, after the 3<sup>rd</sup> Earl's death, there ensued a series of separate bitter land disputes brought by the Warwick family to get the 20 shares back from Trott. These claims were supplemented by a separate battle against Trott for allegedly cheating the Company of its duties on tobacco and cedar exported by Trott on private ships, rather than on the official Magazine ship, as well as the expropriation of the Whale fishing rights from Trott and his partners.

The first property claim was a claim by Charles, the 4<sup>th</sup> Earl of Warwick, to recover all the lands sold to Trott by his older brother Robert, the 3<sup>rd</sup> Earl based on a claim that the shares were subject to an entail. [See: The Legal Issues]. The claim was allowed and the 4<sup>th</sup> Earl was given the chance to buy the shares back for £600 within a specified period of eight weeks. But he failed to do so, and so in default of payment, Trott was declared to be the owner of the 20 shares outright "forever".

Shortly afterwards, a second separate claim was brought by the Edward, the 2<sup>nd</sup> Earl of Manchester, (a relative by marriage of the Warwick family) and then pursued by his son Robert, the 3<sup>rd</sup> Earl of Manchester, to recover 4 of those shares. This was a more complicated claim, but involved a transfer of four shares from the 2<sup>nd</sup> Earl of Warwick prior to his death to his son in law, the 2<sup>nd</sup> Earl of Manchester, apparently held on bare trust. The transfer was not registered in the Company's records. This claim was also decided against the Earl of Manchester and in favour of Trott.

Then, following Charles, the 4<sup>th</sup> Earl of Warwick's death in 1671, yet a third claim to recover the shares was made against Trott by Daniel Finch, the 2<sup>nd</sup> Earl of Nottingham and his brothers-in-law, on behalf of their wives, as female members of the 2<sup>nd</sup> Earl of Warwick's family. This claim was based on the entail mentioned above. The Members of the Company passed a resolution on a show of hands voting the shares back to the Warwick family. While this move was initially successful, it was eventually reversed after Parliament declared it to be unlawful (see: The Legal Issues).

At the same time, there were trading disputes over the right to export tobacco and cedar from Bermuda which led to allegations of tobacco smuggling made against Trott by the Warwick faction. This resulted in the imposition of heavy 'fines' on Trott levied by the Company. The first fine was for just over £500 followed by another of just over £250. When Trott refused to pay, the Company issued orders to "*extend*" or seize Trott's land and goods in Bermuda to pay those fines, which were (in the end) successfully levied.

In answer, Trott obtained the grant of two separate special Royal Licences for allowing him to send private ships to Bermuda to collect his tobacco and cedar. These Licences were granted by King Charles II personally. However, in

the course of acting upon these Licences, the Captain of the Company's Magazine ship fired four cannon shots in Castle Harbour to stop Trott's ship from 'escaping' from Bermuda with his tobacco and cedar. This bold action was based on some slim technicalities of interpretation of the Royal Licences by Sir John Heydon. The basic point was Trott bought other planters' tobacco and tried to ship their tobacco along with his own tobacco on his private ship. The Royal Licence was interpreted to mean that Trott could only ship his own tobacco crop, not tobacco crops he bought from other planters.

As a result of political influence at Court by the Warwick faction, King Charles II revoked the Royal Licence in an Edict which stated that he had been taken by 'surprise' and that he had been 'misinformed'.

At about the same time the Company also cancelled the Whale fishing licences that had been granted to Trott and others, and expropriated the equipment, the unsold whale oil, and profits.

In the end, in 1679, petitions were brought to the English Parliament to revoke the Company's charter sponsored by Trott and many others, which after a 5 year battle, ultimately resulted in the dissolution of the Company itself, and the commencement of direct Colonial rule over Bermuda by Britain in 1684.

Perient Trott died in 1679. When the news of the recall of the Company's Charter reached Bermuda sometime in early October 1684, his son, Samuel Trott, invited the local Governor, Richard Cony (a Warwick family sympathiser) to his house at Walsingham *"to the Company's funeral, saying that there was burnt claret enough for all comers."*



Walsingham House (aka Tom Moore's Tavern) Samuel Trott's homestead.