

## *From Shropshire to the Weald: Appendix*

### **John Perrin of Horsmonden 1619-1700**

Since completing the original account of the Perrins, in which I said that not much was known about John Perrin's adult life, two documents have come to light, both of which show a fascinating if not altogether complimentary glimpse of this man. Both are chancery proceedings.

The first<sup>1</sup>, dated 26<sup>th</sup> November 1652, survives with both the bill and answer. It is a case brought by John's uncle, Francis Austen of Grovehurst in Horsmonden. Both documents are long-winded in the extreme, but the gist is that at some point, John's eldest uncle – John Austen – had allowed John and his wife Mary to live at his house at Broadford. This confirms what I had suspected before, that Broadford was held by the Austen family before Francis acquired it. Whether this John Austen bought it or inherited it from his father is still a moot point. The bill doesn't say how long John and Mary lived there, but as they married in September 1649 and John Austen died a year later, it may have been offered as a home to the newly-weds.

The bill begins by stating the fact that John Austen owned Broadford and associated land, as well as:

divers goods and chattels plate money and household stuff to a good value

and goes on to say that:

bearing love and affection onto John Perrin being his nigh kinsman by reason thereof expressing trust in the said John Perrin that he would use well the said messuage and faithfully and well preserve and keep all such household stuff and goods that he the said John Austin did have in the said house, he the said John Austin did permit and suffer the said John Perrin to live in the said house and did entrust and leave with the custody of the said John Perrin in the said messuage... all goods household stuff deeds... writings and implements of husbandry of great considerable value... whereof the said John Perrin did faithfully promise at the same time unto the said John Austen that the same goods household stuff and other matters should be safely kept and well used and safely returned unto the said John Austin or his executors or assigns at any time upon demand

In addition, Francis states that his brother had left:

in the closet and other rooms of the house which he then reserved to himself, divers sums of money writings and deeds that confirm the title of the lands and tenements which were of him the said John Austin

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<sup>1</sup> TNA, C 2/ChasI/A51/50, Austen v Perren, 1625-60

He further claimed that John Austen had lent his nephew moneys informally, without any written agreement, but that these had been noted in an account book. The goods were said to be worth £100. The monetary sums are not stated:

John Austin had noted down divers goods sums of money plate and household stuff to be in the custody of the said John Perrin and his wife at his said house called Broadford and also divers goods plate and money there also remaining that were kept under lock and key in his own possession

Francis complains that he was away from Grovehurst on business in London when his brother died, and that:

before your orator could return to his dwelling did get into their hands or into the hands of one of them the said keys and books of accounts of the said John Austin with which keys they the said John Perrin and his wife did let themselves into the other goods monies plate household stuff writing and... which were by him the said John Austin before the same time kept close from the privity of the said John Perrin or any other person but himself and did very unconscionably and contrary to all equity and good conscience possess themselves of very much treasure of that kind the true value whereof is unknown

Finally, he accuses his nephew of attempting to:

obliterate tear and blot out divers parts of his said notebook such part thereof where any note was taken touching such goods as were remaining in the said custody at Broadford aforesaid

He demands that the court make John Perrin exhibit an inventory of the goods left in his custody and come to the court to explain what money he has been lent.

John Perren, of course, denies all the charges, and as the verdict of the case is not known, it is difficult to know who was really at fault. Or was it six of one and half a dozen of the other? Or, were John Austen's affairs more muddled than his brother believed? It was a litigious age. John makes frequent references to John Austen as his uncle, playing the family card. He admits that much of Francis' account is true: he was allowed to live at Broadford; he was given custody of the various things cited; he did receive loans from John. However, he insists that the greatest part of John Austen's possessions were:

laid and locked up in several rooms of the said messuage which this said John Austin retained for his use safe and fast the key thereof himself and whilst he lived, and since his decease the complainant as his executor hath fetched the same away and disposed thereof

He reiterates the point a few lines later:

such household stuff and goods as were left in his custody as aforesaid when he should... required, and that he would well use ... and the rest which

were locked up by the said John Austin as aforesaid according to his power as in duty and honesty to his said uncle he was bound to do and this defendant says he cannot set forth the particulars of the goods household stuff and of anything which were locked up and laid in the said rooms whereof the said John Austin retained the key as aforesaid

stressing his loyalty and duty to his uncle.

At the bottom of his answer is appended an inventory of the goods which were in his custody, mainly furniture and household goods:

Imprimis one bedstead in the corner wainscot chamber with ...  
It. A table in the ... with a form and old court cupboard  
It. One dining table in the hall which was in the dining room  
It. 1 bedsted in the ... chamber and one bedsted in the ... chamber which formerly stood in the counting house  
It. 1 bedsted...wainscot ...with a green canopy and cupboard in the kitchen chamber  
It. In the kitchen 1 table and a form  
It. In the cellar some ?stalages to set beer on and a salt stock to salt basin  
It. 1 iron plate and a pair of cast branding irons.  
Four brass weights formerly for a court cupboard  
It. In the brick yard some mountaynes for a joyner

Francis Austen had form. In the same year, his brother Thomas took him to court over the personal estate of their brother John<sup>2</sup>, and in 1680 he was involved in another chancery suit with Richard Goodhew over property in Horsmonden and Brenchley<sup>3</sup>. However, so did John Perrin. At some time between 1688 and 1700, when John died, his sister Elizabeth took out chancery proceedings against him<sup>4</sup>. Elizabeth's preamble lists two of her sisters and names their and her husbands, as well as a niece, thus expanding the family tree for this generation. Joan, the eldest sister, had been married to John Bigg, Elizabeth to James Rich and Alice, the youngest, to John Woodward, gentleman of Throwley. This marriage took place at Maidstone on 14<sup>th</sup> September 1670 and was followed by the birth of a daughter, Martha, baptised at Throwley on 14<sup>th</sup> February 1671. Alice didn't survive the birth of her daughter long, and was buried at Throwley on 27<sup>th</sup> February the same year. John Woodward lived until his daughter was 17, but was buried at in his home parish on 25<sup>th</sup> April 1688, leaving Martha as his sole heir, presumably. It is not known when Martha died, but it was her death, and what happened to her estate which precipitated the court case.

Elizabeth Rich's deposition begins by saying that she is a widow living at Marden. She then goes on to outline the history of the disputed land, four pieces of land originally acquired by Elizabeth's brother-in-law - John Bigg, bricklayer of East

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<sup>2</sup> TNA, C 10/36/9, Thomas Austen v Francis Austen, 1652

<sup>3</sup> TNA, C 6/80/6, Austen v Goodhew, 1680

<sup>4</sup> TNA, C 7/291/15, Rich v Perrin, 1670-1713

Farleigh - in 1629. The lease was to run for 99 years and the yearly rent on the 8 acres was £5. Another lease, taken out in 1638, was for 90 years on three shaws (pieces of woodland) totalling one acre - also in East Farleigh - and at a rent of 20s per annum. When John Bigg wrote his will, he:

gave to Joane Bigg his widow and relict the said two several leases and of his said will made the said Joane Bigg his widow sole executrix

In 1670, Joan made her own will,

and thereby did give and devise the said two leases to Alice Perrin of Marden in the said county of Kent spinster her sister immediately after her decease and gave several other legacies and of her said will made the said Alice Perrin sole executrix and by indenture bearing date the said ninth day of September in the said year of our Lord 1670 made or caused to be made between the said Joan Bigg of East Farleigh in the county of Kent widow and executrix of the last will and testament of John Bigg deceased of the one part and the said Alice Perrin by the name of Alice Perrin of Marden in the county aforesaid spinster of the other part for the consideration of the natural love and affection which the said Joan Bigg then had and did bear to the said Alice Perrin her sister

and also

for the better preferment in marriage of the said Alice Perrin

This part of the plan clearly worked, as the marriage took place very shortly after. Joan also made Alice her executor, but in fact, Alice predeceased her, leaving her widower to administer the estate. He was happy to accept the leases, but did not want to undertake the administration, as there was apparently not enough money to pay all the legacies. The task was then picked up by Elizabeth's husband - James Rich, yeoman of Staplehurst, since deceased. For some years, though, John Woodward had the profit from the leases.

However, after his and Martha's deaths:

John Perrin of Horsmonden in the said county of Kent yeoman your orator's brother obtained letters of administration to the said Martha the daughter of the said John Woodward on the body of the said Alice lawfully begotten the uncle and next of kindred to the said Martha

This meant that he was able to take on the two leases and also avail himself of:

the personal estate of Martha the said daughter of the said John Woodward to a very considerable value and consisting in ready money household goods of all sorts... bills bonds debts rents and other personal estate

and to his sister's evident fury:

utterly refuses to let your orator have any part thereof

despite the fact that she was of an equal degree of kinship as aunt to Martha. She goes on to say that John has given a variety of excuses about this: that the leases are valueless; that a message which was part of the inheritance needed repairs, and that no money would be available until the work was done; that she would have to take him to law to get her share.

Elizabeth is convinced that the leases are worth £50 over and above what is due as rents to the landlord. The final insult, though, is the fact that:

the said John Perrin came to your orator and desired her to let him have the said will [of Joan Bigg] and other writings to peruse and promised her he would safely return them to her again which your orator readily delivered to him not thinking that her said brother had any design of putting anything upon her that would not be fair or that he would retain the same or make any advantage thereof

and she asks the court to serve writs against John Perrin for the return of the documents and her share of her niece's estate.

Frustratingly, there is no extant answer to this bill, so we can't hear John's view of the case. Nor is there a date on it, but it must have been submitted at some time between John Woodward's death in 1688 and Elizabeth's own in 1700. However, the description of four pieces of land and three shaws, all in East Farleigh, marries well with John's son-in-law's description, in his own will of four pieces of land called Hamletts (though these may not be in East Farleigh) and three pieces of land in Deane Street in East Farleigh, both originally belonging to John Perrin, which suggests perhaps that the judge found in his favour.

So was John Perrin the bad boy of the family? Or was he just as argumentative and litigious as other residents of the Weald, which has a reputation for wildness? There is no way of telling.