

ABERFORD

STAC 8/ 275/ 22: Thomson vs. Shilleto 1620-1621

Aberford, a village and parish on the Great North Road (now the A1) about 12 miles east of Leeds, was described by John Leland in the early 1540s as “only a poor roadside place on Watling Street”.¹ Located near the confluence of the Cock Beck and the smaller River Crow, the village had a fulling mill in the early 14th century and relied on pin making in the early modern period. According to Richard Braithwait’s *Barnabees Journal* (1638), Aberford’s “beginning came from buying drink with pinning” and the people appeared to be “Poor ... and very needy/ Yet of liquor too too greedy”.²

The Court of Star Chamber extended its jurisdiction over cases of defamation on the grounds that it was dangerous to the peace and security of the state. Libels directed against the monarch, magistrates, or other public figures represented a clear threat to the state, it was argued, because “they incited to sedition”.³ As Sir Edward Coke noted in his *Reports*, “Let all men take heede how they complayne in wordes against any magistrate, for they are gods”.⁴ The alleged libel of which Thomas Shilleto complains falls into this category, for the complaint depends upon verses that denigrate him in his capacity as High Constable of Barkston Ash and, as a result, discredit him in the eyes of other officers of justice. The places where Shilleto claims that the libel was published--Sherburn in Elmet, South Milford, Ferrybridge, Knottingley, and Pontefract--are all within 13 miles of Aberford, Pontefract being the furthest from that village.

DOCUMENT DESCRIPTION

Legal Records: Court of Star Chamber

Thomson vs. Shilleto

Kew, National Archives, STAC 8/275/22; 1620-1621; English and Latin; vellum; 2 membranes, attached together by string. Relevant items include:

mb 1: 125mm (96mm) x 258mm (245mm); good condition, despite some fading. Contains the answer of George Thomson.

mb 2: 542mm (517mm) x 555mm (540mm); top left corner missing; seven small holes in the membrane; edges badly faded. Contains the bill of complaint of Thomas Shilleto.

THE RECORDS

mb 2: Bill of Complaint

To the kinges most excellent maiestie

<..... d> informeth *your* most excellent *maiestie* your loyall faythfull and obedient subiect Thomas Shilleto of Abberforth in the county of *yourke gentleman* being high Constable <.....> of Barkston Ash in the said countie and soe hath continued for the space of two yeares last past and aboue And therein as also in the whole course of his <lyf> hath <alw>aies carried and demeaned himself respectibely towardes all men of anie worth of quallitie without givinge anie occasion of offence or dislike and lived in goode < . . . > and fame amongst his neighbours & the whole countrie and holden in good regard amongst *your maiestes* Iustices of peace and others gentlemen of the best worth and rancke in those p<ar>tes where he liveth Nevertheles so it ys may it please *your* most excellent *maiestie* that one George Thomson clerke Viccar of Abberforth aforesaid being a man much given to much distemper in drinkinge in Taverns Sellers and comon alehouses & tobacco takeinge and swaggeringe with pipers fiddlers tincardes drunkardes & other like dissolute people <..>⁵ and at such times to heare Rythmes songes & libelles made devised & framed by men of base quallitie & of lewd & dissolute life & conversacion whereby he forgetteth the duty of his function & calling & thereby raising scandalls and casting false aspertions vppon diuerse *your maiestes* well deserving subiectes and to that purpose he the said George Thomson combininge & consideratinge himselfe to & with one william Pollard of Aberforth aforesaid alehowskeer punished & expelled the towne of Rotheram in the countie aforesaid for makinge divulginge publishinge & singinge of seditious & scandalous [articles] libells *against* one mr Newton a reverend preacher of godes worde & others well disposed people of the same towne William Potter & Iohn Barrett fiddlers & diuerse other persons of like quallitie & lewd behaviour professinge of pipeinge & fiddlinge runninge & ranginge vpp and downe the countie from place to place to gett there livinges at Fayres markettes & at idle meetings & merriments & other places where there hath beene or is comon resort & concourse of people & to drawe Idle disordered & lewd companie together with said George Thomson and William Pollard havinge causeth conceived an inveterate hatred & malice *against your* said subiect & seeking to disgrace him in his place & office of hygh Constable & by libellous depravings & otherwise the said George Thomson William Pollard William Pottes Iohn Barrett William Goste & George Roades altogether envyinge & maligninge the credit & reputacion of *your* said Subiecte & to disgrace and discountenance *your* subiecte in the countrie where he was borne & still dwelleth And the said persons not regardinge *your maiestes* good & wholsome lawes & statutes of this *your* realme as also the happie and good gouernment for repressinge such like misdemeanours & provided for reformation of such abuses nor the dayly example & punishmentes instated vppon the like offendours by this ho⁶ Court haue since *your maiestes* last most gracious general & ffree pardon very falsely malitiously scornfully & vnlawfully made contrived written scattered abroad read & published diuerse haynous & infamous libells as *your* subiect & others ^{both men} and women of the best sort and reckoninge thereaboutes and such as are best effected in religion and of honest Carriage and demeanor & the same have divulged published & sunge in diuerse and sundrie alehouses & Innes and in diuerse & sundry companies drawne together of purpose to heare the same songs rithmes & libells & to reioyce & laugh thereat in scornfull derideinge & infamous manner of & *against your* said subiecte ^{& others} And neuertheles some persons in the companie of more temperate carriage and demeanor then the rest hearing and vnderstandinge the dispihtfull carriage & disgracefull invectives therein vttered knowinge the same to be ment & intended not only in disgrace of *your* subiecte but alsoe in part causlesly to touch some other of *your maiestes* Iustices of peace & donne to drawe the said Iustice into obloquy & disgrace did wish them to forbear the publishinge & divulginge such scandalous libells *which* might bringe his *maiestes*

officers & magistrates into contempt but the said Pollard & Thomson not regarding the same or anie admonicion in that behalfe did presently therevpon publish divulge and singe in diverse & sundrie places one libellous & odious sonnett containinge very scandalous & infamous matter *against your* said *subiecte* part whereof followeth in hic verba⁷ Would god I weare a [highne] head constable, and had a Iustice of my name, Then would I whipp and stocke the poore, and thinke it neither sinne nor shame, the said libell beinge stuffed besides with many fowle odious & scandalous matters *which* the said Thomson and Pollard and other *parties* afore named haue dispersed & divulged in sundry places in disgrace & scorne of *your* said *subiect* *which* said odious libell *your* said *subiecte* cannot ^{wholly} repeate [by] ^{but} humbly praieth may be brought into this *honorable* Court by *which* said high Constable mencioned in the said libell the said Pollard Thomson & the rest intended to be *your* said *subiecte* and the Iustice to be George Shilleto *esquire* one of *your* *maiestes* Iustices of the peace in those partes to whom *your* said *subiect* was neuer suitor for anie favor in any cause but as to all other his *maiestes* Iustices of peace in those partes And the said Pollard and Thomson beinge therefore reprovved very enviously and scandalously answered and said the *gentleman* about ⁱⁿ the vpper end of the towne ^{meaninge your said subiecte} doth beare himselfe soe high vppon the Iustasses of peace meaninge thereby *your* said *subiecte* & *your* *maiestes* Iustices of peace for the westriding [for] of the county of yorke, as he thinketh [(meaninge your said subiect) may doe what he pleaseth but he would paynte him not so by the said libell as should weary him of his office and the rather for that he *your* said *subiecte* did not affect recusantes and at the same time some sayinge it were good to forbear ye said libellous song sunge *against your* *subiecte* the said Thomson and Pollard still *persistinge* in singinge their wicked libell & with great oathes swearinge they cared not for him nor for the prowdest Iustice of peace in yorkshire ^{saying} they wold teach him to know himselfe & ^{wold} maintaine the libell in the face of the greatest and *your* *subiecte* will ^{& doth} averr that the said George Thompson William Pollard William Potter John Barrett & diuerse other *persons* to *your* *subiecte* yet vnknowne whose name *your* *subiecte* humbly praieth may be incerted when as the same shall or can be discouered did divulge ^{publish} scatter abroad sing and read the said scandalous & infamous libell at the said towne of Abberforth as also at Sherburne fferry briges Pomfrett Millford and Knottingley & diuerse other places & seuerall companies in the monthes of October in the xvijth yeare of *your* *maiestes* raigne as also in the monthes of November Ianuarie & February in the same xvijth yeare of *your* *maiestes* rayne over England And also in the monthes of March April may Iune Iuly August September october⁸ and in this *present* month of november in this *present* xixth yeare of *your* highnes most happie & prosperous raigne over this *your* realme of England And the said George Thomson & William Pollard & the same other confederates not yet satisfied in their minds of their *said* malice conceived *against your* said *subiect*⁹ but also seeking farther revenge *against your* said *subiect* in subvertinge & overthrowinge of *your* *subiectes* estate in [these] *your* *subiectes* landes and tenementes and for the disturbance of his peacable and quiett possession thereof *which* discended vnto *your* *subiecte* from his auncestours and haue contynued in the name & blood of *your* *subiect* by all the time whereofe the memory of man is not to the contrary haue ^{within this yeare last past} vnderhand sought Cuningly & fraudulently to stirr vpp suites and quarrells betwixe diuerse *your* *subiectes* honest and kind neighbours and *your* *subiecte* by insynuateinge vnto them that they had right and iust cause of *accion* *against your* *subiecte* for some *parte* of *your* *subiectes* inheritance in case they would haue beene as forward to haue entertained such mocions of strife as they the said George Thomson the said William Pollard and others their confederates were apt and ready to sett such Idle & frivolous suites

afoote against *your* said *subiecte* [^] and to that ende and *purpose* delivered Sir Thomas Blasud knight and Iohn Gascoigne *esquire* and diuerse others And further soe yt is may it please *your maiestie* the said George Thomson William Pollard & other assotiat & confederates to *your subiecte* yet vnknowne whose names he likewise praieth may be incerted and they made *parties* defendantes in the bill so sone as they maie or can be discouered they <.....>¹⁰ @f6\ envyenge *your subiectes* credit & reputacion amongst *your maiestes* Iustices of peace of the said westriding where *your subiecte* liveth and for to combine and confederate themselues with Marmaduke Beckwith of Secrofte gentleman insynuateinge vnto him that they had maid an effect of misdeanours of high nature to charge *your subiect* withall and intreated him that he the said Beckwith would *preferre* a petition before [^] & to *your Maiestes* Iustices of peace in the said westriding [^] at the last Sessions here ^{kepte} *which* should contain matters of supposed misdemeanours against *your* said Iustice and being demaunded what truth were in those articles the said Thomson & Pollard answered they cared not for the truth thereofe for they would haue a petition presented against *your* said *subiecte* to drawe some ill opinion of the Iustices of peace against *your* said *subiecte* *which* saide scandalous articles they published in diuerse places in that countrie to drawe a scandall & infamie against *your* said *subiect* and to make him odious in the eye and opinion of the Iustices & magistrates in the duty & execucion of his place and to make him held vnworthy of such place and service wherein he hath alwaies dutifully demeaned himselfe and this libell and <lib>ellous detractions rudly rayed and sett on foote by *persons* ill affected in religion To *which* false and scandalous informacion & articles the said Beckwith givinge eare and soundinge into the depth of their driftes and *proiectes* devised against *your* *subiect* and at length he *perceivinge* their said driftes tendinge to no other purpose then out ofe causes spleene to vent their newe malice against *your* said *subiect* And thereby seekinge causlesly to disgrace *your* saide [^] ^{subiect} He the said Marmaduke Beckwith left them to their euil wicked plottes & devices vtterly refusenge anie word to deale or intermedle in the same All which Combinacions Confederacyes vnlawful and seditious libellinge makeinge singinge publishinge & divulginge of Rythmes & scandalous libelles tendinge to *your subiectes* publique disgrace and all oth<e>r¹¹ the seekinge to overthrowe *your subiectes* estate vnder fayned & pretended titles seekinge to worke *your subiectes* disgrace And all other the offences and misdemeanours herein mencioned and thereby complayned of were perpetrated comitted and donne since *your Maiestes* last most gracious generall and ffree pardon & tend greatly to the violacion and breach of *your maiestes* good and wholesome lawes & statutes of this *your maiestes* realme of England and ^{are} [at] very dangerous in example to give incouragement to other of like lewde quallitie to comitt the like if these soe fowle offences should escape without due and exemplary punishment according to the nature quallitie and condicion of the saide offences, May it therefore please *your maiestie* to graunt vnto *your subiect* *your Maiestes* most gracious proces of Subpena to be directed to the saide George Thomson clerke William Pollard George Roades William Potter William Goste Iohn Barrett William Dixon and Iohn Watson Comaundinge them and everie of them thereby at a certaine daie and vnder a certaine paine personally to appeare before *your maiestie* and the lordes and others of *your maiestes* most honorable privie Councill in *your* high and honorable Court of Starchamber then and there to answeere the premisses and further to stand to and abide such further order & direction therein as to *your maiestie* and saide Councill shall be thought free and agreeable to Iustice And *your* saide *Subiect* as most bound in duty shall dayly praie for *your Maiestes* prosperous and happie raigne over vs

Richard Smyth

mb 1: Answer of George Thomson

<..3.> November
<.of.> 19th *Jacobi* Rex

The Answer of George Thomson clerke one of the *defendants* to the bill of *Complaint* of Thomas Shilleto *Complainant* / ./

The sayd *defendant* sayth that the sayd bill of *Complaint* against him exhibited in this honorable court is verie scandalous slaunderous vncertaine untrue and insufficient in the lawe to be answered vnto by the sayd *defendant* for diuers manifest and apparant faults and imperfections therin contained & framed & exhibited into this honorable court (as this *defendant* verily thinketh) of malice and evill will to the intent to scandell his good name beinge a minister & to put him to great charges traull & expences in the law to make his appearance in this honorable court, the sayd defendant dwelling in Abberford in the county of yorke *which* is one hundred & ffortye miles or therabouts distant from the cittye of Westminster & without any iust cause soe to doe Neuertheles yf this *defendant* shall by the order of this honorable court be compelled to make any further or other answer vnto the sayd vncertaine and insufficient bill of *Complaint*: Then All advantages of exception to the incertai<n>tye & insufficiencie of the sayd bill of *Complaint* now & at all tymes hereafter vnto this defendant saued, he the sayd *defendant* (for answer vnto the sayd bill of *Complaint*) sayth that as to all and every the vnlawfull plots practizes combinations, confederacies, contriuinge, writinge scaiteringe abroad, readinge, divulginge & publishinge of libells & other misdemeanors & offences whatsoever in the sayd bill of *complaint* mentioned, He the sayd *defendant* is not therofe or of any of them guiltye in such sort manner & forme as in or by the sayd bill of *Complaint* is alleadged or supposed, all *which* matters he the sayd *defendant* is and will be readye to averre and proue as this honorable court shall award & so humbly prayeth to be dismissed out of this Court with his Costes and charges hereby wrongfully sustayned./

<..>rvile

NOTES

¹ John Chandler, *John Leland's Itinerary: Travels in Tudor England* (Stroud, Gloucestershire: Sutton Publishing Ltd., 1993), p. 531.

² Qtd. by David Hey, *Yorkshire from AD 1000* (London and New York: Longman, 1986), p. 138.

³ Sir William Holdsworth, *A History of English Law*, Volume 5, second edition (London: Methuen, 1937), p. 208. On this page, Holdsworth cites Sir Edward Coke's distinction between libels against magistrates or public persons and those against private individuals, as in Coke's *Reports, Part 5* (London, 1606), 125a.

⁴ *Les Reports del Cases, Part 5* (London, 1606), 176-7; qtd. by Holdsworth p. 209.

⁵ ink blotted, covering perhaps two letters

⁶ presumably for "honorable", but there is no mark of abbreviation

⁷ preceding three words in italic

⁸ first two letters smudged or blotted

⁹ hole in the vellum where the 'u' should be

¹⁰ illegible word, crossed through

¹¹ hole in the vellum where the 'e' should be