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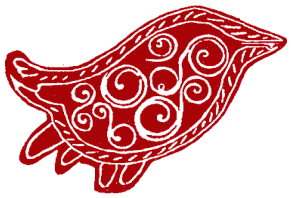

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Notes.

EDWARD GILLETT, MAYOR OF YOUGHAL, 1721.

This note is not intended to deal with the life of Edward Gillett, but rather to set forth a few facts connected with somewhat unusual and apparently unexpected legal proceedings of which he was the victim. Some personal and family details concerning him trickle through *The Council Book of the Corporation of Youghal*, edited by Richard Caulfield, F.S.A. (Guilford : 1878), which have been availed of here.

On 23rd February, 1704 (O.S.), Edward Gillett was admitted a freeman at large of Youghal and ordered " that he keep a good musquet in repair for the use of the Corporation." This exciting order makes one at once interested in his future career. He was engaged in the profitable and interesting business of a goldsmith and had a few dealings with the corporation over the letting of markets and lands.

A few years before he was elected mayor, the town was divided in its allegiance to George I., the reigning King of England. The difference of opinion was carried into the council chamber, for four Aldermen and other members of the Corporation were ordered to be prosecuted by way of petition before the House of Commons, for favouring the cause of the Pretender—an order subsequently cancelled. One of the four Aldermen was, however, very soon afterwards disfranchised for some undisclosed reason, but probably owing to leanings in favour of the Pretender, by a vote of twenty to eight.

There was much rivalry in the council, to which different causes undoubtedly contributed, besides the politics of the time. Edward Lawndy was mayor in 1706, and would seem to have been, if not the leader of a faction, at least an active partisan. He emerges from the records of the Corporation with the character of a disappointed and vindictive man. His true position became manifest, if one reads aright the sparce records of the Corporation. When a meeting was held for choosing a Mayor to succeed Gillett in the year 1722. Henry Rugge, the recorder (who was soon afterwards dismissed from office owing to a disservice to the Corporation), John Farmer and John Cahill, the two bailiffs before whom a deposition was made against Gillett, left the meeting whilst the selection of the Mayor was proceeding and went to the Quay, where they held another meeting and choose Edward Lawndy as Mayor Elect. A double return of Mayor was made to the Lords Justices, the matter came up for argument before them and they pronounced, Solomonlike, both elections void. As a result of this division a fresh election was held at which Lawndy's opponents were successful in filling the coveted offices of Mayor and Bailiffs.

Strife and bitterness were not yet at an end ; malice remained to be satisfied. Lawndy anxiously thought the matter over for three months

and then, in cold blood, laid an indictment against Gillett. This became an affair of State in England for sixteen months and engaged the attention of two principal Secretaries of State, the Lords Justices and the Lord Lieutenant of Ireland, important officials and subordinate ones in both countries. The charge preferred against Gillett was extremely serious, anything night have happened owing to the uncertain condition of the times, but fortunately for him the evidence in support was weak. Had he been found guilty of encouraging the Pretender, he was liable to capital punishment, an end that would not then have been denied him.

The following documents relating to the case are taken from the King's Books in the Public Record Office, London, and are worth printing, as they help to shed some light on life in Youghal over two hundred years ago.

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Whitehall, November 10th, 1722.

Lords Justices of Ireland.
My Lords,

I herewith send your Excellencys the copy of a letter from Mr. Edward Lawndy, a Justice of the Peace for the County of Corke, to my Lord Townshend, wherewith were transmitted the inclosed examinations taken by the said Mr. Lawndy and other Justices of the Peace concerning seditious words spoken by Edward Gillett, late Lord Mayor of Youghall. Which papers having been laid before the King, his Majesty has commanded me to transmit the same to your Excellencies, that you may please give the necessary directions concerning this matter. I am with great respect . . .

Carteret.

—

Youghall, October 30th, 1722.

Lord Townshend.
My Lord,

Having the honour to be one of His Majesty's Justices of the Peace for the County of Cork, do think it incumbent on me to send your Lordship the enclosed copies of examinations which I have taken, and also the copy of an examination taken by John Farmer and John Cahill, Bailiffs of the town of Youghall. The originals are now in my custody. As soon as I had the first information of the barbarous reflecting words spoken by Edward Gillett, the late Mayor of Youghall, I summoned the several persons that heard them to give their informations, which the enclosed copies shew they did : but by an Act of Parliament in this Kingdom which limits the time for the prosecution of criminal words, information must be given to some Justice of the Peace within a month after the words spoken, so that though the examinations by me taken are not within the time limited, yet the examination of Charles Ray, taken by the above Bailiffs is, and the

examinations by me taken will shew the wicked designs of the said Gillett: all of which I humbly lay before your Lordships for His Majesty's service and remain, My Lord . . .

Edward Lawndy.

—

Com. Corke fs. [i.e., scilicet] The examination of Perry Mills of the town of Youghall in the said county, taken before Edward Lawndy, Esquire, one of His Majesty's Justices of the Peace for the said county, this 2nd day of August, 1722.

Who, being duly sworn and examined, deposeth and saith, that on or about the 26th day of May last, he this examt., being in the company of Edward Gillett, Esquire, the present Mayor of Youghall, at Mr. Charles Nixon's house in the said town, the said Edward Gillett talking of the designed plot in England, did publickly say, that it was only a trick and contrivance of the King to get money from the Parliament, and that there was no more in it, and further saith not.

Jur. cor. me die et anno supradict.
Edward Lawndy.

Perrie Mills.

—

Com Corke fst The information of Charles Ray of Youghall.
Addition taken 10th August, 1722.

Who, being sworn, etc., saith that on or about the 20th day of May last being about the time that the news was brought that there was a designed invasion or a plot to be in England carried on by some persons in favour of the Pretender, this informant did hear Edward Gillet, the present Mayor of Youghal aforesaid, in the publick street of the said town openly swear and declare that there was nothing in the matter, and explaining himself said that it was only a Presbiterian design or contrivance to raise money from the country or words to that purpose, and that he often spoke of it since and further saith that the said Gillet, about the same time came to this informant's house and did several times swear by God that it was a Presbiterian plot and they would never be quiet until and then stopt without saying any more and further saith not.

Capt et jurat coram me die et anno supradt.
Edward Lawndy

Charles Ray.

—

Vill Youghall in Com Corke fst The examination of Charles Ray, taken 10th June, 1722.

Who being duly sworn upon the holy Evangelists and examined, deposeth and saith that when the publick newse brought an account that there was

likely to be an invasion or some disturbance, Edward Gillet, Esquire, the present Mayor of this town, openly in the streets of the said town, before several others and in this informant's presence and hearing declared, that it was only a designed thing and to get money from the parliament, and that it was a designed Presbiterian plot and further saith not.

Jurat coram nobis die et anno supradt. Charles Ray.

JOHN FARMER
JOHN CAHILL } Bailiffs.

—

Com Corke fs. { The examination of Francis White of Youghall, etc., taken 10th August, 1722.

Who being duly sworn upon the holy Evangelists and examined, deposeth and saith that on or about the third day of June last, being soon after we received the news of the Lord Townshend's letter to the Lord Mayor of London, that there was a traitorous conspiracy or plot designed against the King in favour of the Pretender, Edward Gillet, Esquire, the present Mayor of Youghall, did in this examinants company in the said town of Youghall desperately swear and curse that it was only a trick or contrivance against the opening of the parliament to get money from the country and that if there was any plott it was a Presbiterian plot or words to that purpose, and this examinant being displeased at such freedom friendly rebuked the said Gillet and afterwards spoke to several of his friends to advise him not to give himself the liberty of using such expressions for the future, notwithstanding which the said Gillet several times after, in this examinant's company used the same or the like expressions, insomuch that this examinant demanded if he was putting the Presbiterian on the King or to that effect and further saith not.

Capt. et jurat die et anno supradt. Francis White.
Edward Lawndy.

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Although Lord Townshend's letter does not directly allude to this indictment, it is, nevertheless, included here as it was largely the cause of the whole commotion. How far it was justified is not easy to say, but it had the desired effect of terrifying London and the country. Politicians never thread on safer ground as when appealing to the fears of the multitude. Gillett was not to be stampeded and like an honest man expressed himself a little incautiously.

Whitehall, May 8th, 1722.

Lord Townshend's letter to the Lord Mayor of London. {

My Lord,

His Majesty having nothing more at heart than the peace and safety of his good City of London, the protection of its inhabitants and the support of public credit, has commanded me to acquaint your Lord ? that he has received repeated and unquestionable advices that several of his subjects, forgetting their allegiance they owe to his Majesty, as well as the natural love they ought to bear to their country,

have entered into a wicked conspiracy in concert with traytors abroad, for raising a rebellion in this kingdom in favour of a Popish Pretender, with a trayterous design to overthrow our excellent constitution, both in church and state and to subject a Protestant free people to tyrany and superstition: But I am persuaded it will be a great satisfaction to your Lordp. and the city to find that at the same time that I am ordered to inform you of this design, I am likewise commanded by His Majesty to let you know that he is firmly assured that the authors of it neither are nor will be supported nor even countenanced by any foreign power; and as His Majesty has timely notice of their wicked machinations and has made the proper dispositions for defeating them, he has no reason to doubt but by the continuance of the blessing of Almighty God and the ready assistance of his faithfull subjects, this effort of the malice of his enemys will be turned to their own confusion.

His Majesty makes no doubt but your Lordship, pursuant to the trust reposed in you will in conjunction with the other magistrates of his good city of London, exert, with the utmost care and vigilance, your authority for the preservation of the publick peace and the security of the city at so important a conjuncture.

I am, etc.,
Townshend.

—

Whitehall,
February 27th, 1723/4.

H. G. Lord Lieutenant of Ireland,
My Lord,

The King having been moved upon the case of Edward Gillet, late Mayor of Youghall, in the Kingdom of Ireland, against whom an information was exhibited about the latter end of the year 1722 for seditious words spoken by him; and there appearing in the said Gillet's case several favourable circumstances in his behalf, His Majesty is graciously pleased to condescend to the request of the said Gillet for a Noli Prosequi, and accordingly His Majesty has commanded me to signify his pleasure to your Grace that you may please to give the necessary directions for putting a stop to any further proceedings against the same Edward Gillet on account of the said information.

Carteret.

Under date 13th June, 1726, the Council Book of Youghal contains the significant entry: "That the Mayor pay Ald. Edward Gillett 6 li, expended in defending himself in his Mayoralty against Ald. Edward Lawndy."

J.B.