

SANT/BEQ/28/1/13/54-56

Handwritten notes re manor & borough courts held at Morpeth, Northumberland & election of court officials, nd. [c.1850]

54.

Courts

There are 3 courts of record held within the manor and boro[ugh] of Morpeth (which are one and the same place in point of extent and comprehend the town of Morpeth and a small portion of the adjoining lands) The first is held on Monday next after one whole week from Easter day, it is the court leet and court baron of the Earl of Carlisle, the lord of the manor, here we of course have two distinct jurisdictions, one to view the frankpledges within the liberty, and to present by jury all nuisances within the jurisdiction, the other for the recovery of debts under 40^s/ value, the steward of the lord of the manor or his deputy presides, and the juries are composed of the resident freemen within the borough who are chosen by the bailiffs and summoned by the Serjeant the first or grand jury is composed of an indefinite number not less than 12 who walk the boundaries and perambulate the footpaths within the limits of the boro, and present to the steward or his deputy such nuisances as meet their own view, or may be laid before them on oath, which are amerced by the steward or his deputy, two affeerors are then chosen who after being sworn reduce affere or reduce to a precise sum the amerciament which has been amerced inflicted upon the presentment. These amerciaments may then be estreated, i.e. extracted, from the roll or book in which they are recorded and levied by the serjeant by distress and sale of the parties goods.

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The party or petty jury consists of 12 who hear and determine all causes of debt arising within their jurisdiction under the value of 40^s ~~the~~ For this the plaint is entered with the lord steward who issues a summons which is served by the serjeant; where a judgment is recovered the steward or his deputy grants an execution against the goods of the defendant within the manor and boro[ugh] beyond which it is of no force, and in case of non payment the serjeant to whom it is directed is authorised (I know of no authority except custom) ~~by~~ ~~to~~ to sell. The costs of an action are for entering the plaint 6^d for summoning the defendant 6^d for the execution when issued 6^d.

A court baron alone is held on Monday next after the first Sunday from the Epiphany when a petty or party jury is returned by the bailiffs

Another court leet and court baron is held on Monday next after Michaelmas day when similar juries are chosen with like powers as at the Easter court. But at this court the officers of the corporation are chosen in the following manner, viz. Each jury chooses 2 of its body as bailiffs one as serjeant one as fish and flesh looker and two as constables, these are returned to the steward or his deputy who selects therefrom 2 from the 4 returned as bailiffs and 1 from the two returned as serjeants to fill these offices; the two returned as fish and flesh lookers ^{are to select bread weighers} fill

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fill that office, and the 4 persons returned as constables fill that office; the ^{ale tasters and bread weighers} fish and flesh lookers of the preceding year are always the ^{fish and flesh lookers} ale tasters and bread weighers of the next, and are always returned as such by the juries, but I apprehend in case of death or at their own will the juries may return two of their own body. It is evident no person can fill offices two successive years (with the exception just named) as they are chosen from the juries and no officer can be upon a jury. All these ^{are} officers of the corporation and attend the bailiffs on public occasions, the serjeant bears the mace, summons juries and common guilds and affixes the corporate seal, by direction of the bailiffs, and is in fact essentially the servant of the corporation; he is also the cryer of the courts, serves summonses, & executes executions therefrom. The duties of the officers are sufficiently designated by their names. (see oaths)

It was formerly ^{customary} and been continued so till within a very late period, for such as had been bailiffs to be chosen aldermen of their respective companies the year after they quitted the office of bailiff which made two years elapse before they could again become bailiffs.

The regalia or plate of the corporation is of a most elaborate like description viz the serjeant's mace, a most capacious and very antique silver punch bowl, and a large silver cup and cover.

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