

The article below is the Charge that the Steward of the Barony of Dunham Massey (Altrincham) reads out before the election of Court Officers. The Steward of that Court has kindly given his permission for it to be reproduced here.

Although the roles of Officers and their duties vary from Court to Court this charge gives a good overview of the duties and the scope of responsibilities of Courts Baron & Court Leet.

THE CHARGE OF THE STEWARD TO THE BARONY OF DUNHAM MASSEY

To be read in full at each Michaelmas Assize by the Steward to the Barony of Dunham Massey

"Burgesses and Aldermen of the jury;
as justice and peace are the great foundations of human happiness, so the advancement and preservation of them is, or ought to be, the end or design not only of our meeting together at this time but of all government, laws and courts of judicature whatsoever.

Burgesses and Aldermen;
all administration of justice was originally in the Queen's hands, but afterwards for the greater care and benefit of her subjects, these courts, wherein we are now met were ordained and they are of very great antiquity being in use long before the Norman conquest and were instituted for many good and wholesome ends and purposes and certainly, Burgesses and Aldermen, if duly considered it is a very great advantage and benefit to you that you may have such a speedy redress of all offences and nuisances within your precincts, and justice done by you, even at your own doors where matters must undoubtedly be best known and most easily remedied, and this would quickly be found to be true if these courts should be taken away and persons forced to travel from hence to Chester and pay long and chargeable attendance for every trifling and petty matter.

Burgesses and Aldermen; I shall now proceed to the matters of your charge.

Defaulters - you shall enquire if all persons that owe suit and service to this Court have appeared and done the same. And Present the defaulters to that end so they may be Amerced.

Rents - you shall also enquire if any rents, duty, custom or service due to the Lord's of this manor be detained, concealed or withdrawn and Present the same and the persons by whom, and out of what lands issuing.

Mills - if any withdraw their suit from the Lord's mills, by not grinding their corn there as they ought to do. You shall Present them.

Encroachments - if any of the Lord's lands be withdrawn or congealed from him, or occupied without his licence, or if any person have digged or done any trespass upon the common or waste, or if any encroachments be made on the Lord's soil You are to Present the same.

Escheat - if any lands be fallen to the Lord by escheat as by the death of the tenants without heir or by the tenants being attained or outlawed of felony You are to enquire and Present the same.

Tenants selling without licence. - if any tenant has mortgaged or sold his tenement without giving notice to his Lord and having his consent it is here enquireable so that the Lord may have consance who is his tenant and from whom to have his rents and services.

Fishing - if any person have fished, fowled, hawked, coursed or hunted within the Lord's demesnes or elsewhere within this Leet without the Lord's licence. You shall Present the same.

Treasures - if any treasure have been found hid within this Leet or if any waifs or strays, felons goods or the like royalties have happened, you shall enquire and Present the same.
Waste - also you shall enquire if any tenants within this Leet have committed any waste in pulling down any house or buildings or suffering the same to decay, or cutting down any trees Or the like. You shall Present the same.

Repairing buildings - you shall enquire if all tenants and farmers within this Leet do sufficiently uphold their buildings and tenements for every tenant is obliged to do three things: 1st that he be a nice tenant to his Lord.
2nd that he sufficiently repair his buildings.
3rd that he pay and do all his suits customs, and services at the days assigned.

Ways - you shall enquire if all the highways and byways within the precincts of this Leet be kept in good and sufficient repair and Present all defaulters therein.

Hedges - you shall also enquire if all hedges and ditches next adjoining to the highways be sufficiently secured and repaired and Present all defaulters therein.

Rubbish in streets etc - if any person lay any wood, muck, carrion or the like in the streets or highways whereby the passage is straightened or persons otherwise annoyed is here enquireable, and if any soil be cast into the street or highway and suffered to remain there the offender forfeits 12d for every load and you ought to Present it.

Roads diverted - you shall also enquire if any ancient common way be stopped or diverted, or if any ancient causeways be broken or decayed and who ought to repair them.
You should Present the defaulters.

Uncommonable beasts - if any persons have put any uncommonable beasts, such as, hogs, stoned horses, or horses infected with the mange or scab on the common, the owner forfeits ten shillings and it is here enquirable.

Enclosing the waste - if any person has enclosed any lands which used to be common, or have made any encroachments upon the commons or waste ground, or gathered any dung or digged, or done any trespass on the same without the Lord's licence you shall Present the same.

Inmates - if any owner or occupier of any cottage shall place or willingly suffer any inmates or families to dwell in anyone coitage he forfeits ten shillings- for every month's residence of such inmate, to the Lord of this Leet and you ought to Present it.

Victuals - if any butcher, fisherman or others sell any corrupt meat or victuals not wholesome for men's bodies it is a common nuisance and here enquireable.

If any brewers, bakers, butchers or the like, that is, tradesmen shall conspire or make any covenant, or promise together not to sell their victuals but at such certain prices this is here enquireable and presentable.

Alehouse keepers - you shall also enquire if all the alehouse keepers and victuallers within this Leet have duly kept the Assize of bread and ale and have sold according to the rate and price of grain, and that which is wholesome for men's bodies, and also have sold by measures sealed and by the other small and undue measures, and Present all defaulters herein.

Gashing of hides.- if any butcher shall cut or gash any hide or shall put to sale any putrified hide you are to Present him.

Weights - you are also to enquire if any person has used any false weights and measures, a greater to buy by, and a lesser to sell by in deceit of the Queen's people, you are to Present the same.

Meers - if any person or persons have removed any ancient meer bounds or marks set for distinguishing one man's land from another, you are to Present them.

Pounds- if any distress duly impounded have been taken thence without due course of law, this is a pound breach and is here enquireable.

Rescous. - if any of the Lord's officers or other officers have duly seized or distrained any goods and the same have been rescued from them, you are to Present the same and the persons by whom the rescous was done.

Officers - you shall also enquire if all Constables, Bailiffs, Overseers of the Poor, Surveyors of the highways and all other Officers within your limits have well and truly executed their several offices and Present the defaulters.

Former Presentments - you shall enquire of all defaults here formally Presented and pains set as to whether they have been sufficiently amended within time limited and if all bye laws and orders heretofore made by this Court have been duly kept and observed and Present all defaulters therein.

and if there be any other matter of thing which either by the laws of the land or the particular usage of this place is here enquireable and by me omitted to be given you in charge you are also to Present the same.

Burgesses and Aldermen; I have now done with matters of your Charge and shall trouble you no further; only to remind you that the safety of the public good, the welfare and peace of your neighbourhood and country depends much upon the faithful discharge of your duty and, therefore, I hope you will be careful to make your enquiries and Presentments with the diligence, truth and impartiality which your Oaths and consciences oblige and direct you to do."