

The Court Leet of the Worshipful Town Mayor and Chief Burgesses of Warwick

Founded in 1554 by Royal Charter

A Court Leet was a Royal Franchise, but in the case of Warwick, as in the case of many similar towns, it was granted to the great feudal Lord who, in Warwick, lived in the Castle and who was also Lord of the Manor.

At a very early time in medieval England the Lord of the Manor exercised or claimed certain jurisdictional rights over his tenants and bondsmen concerning the administration of his manor and exercised those rights through his court baron. However this court had no power to deal with criminal acts.

Criminal jurisdiction could, however, be granted to a trusted lord by the Crown by means of an additional franchise to give him the prerogative rights he owed feudally to the king. The most important of these was the "view of frankpledge", by which tenants were held responsible for the actions of others within a grouping of ten households.[2] In the later Middle Ages the lord, when exercising these powers, gained the name of leet which was a jurisdiction of a part of a county, hence the franchise was of court leet.

The court leet was a court of record, and its duty was not only to view the pledges, which were the freemen's oaths of peacekeeping and good practice in trade, but also to try by jury, and punish, all crimes committed within the jurisdiction. The most serious crimes were committed to the King's Justices.

The Steward of the Lord of the Manor and of the Leet presided over both Courts. In the Court Baron (Manor Court) he presided over the free tenants or freeholders of the Manor and in the Court Leet he was assisted by a Jury composed of twelve or more Burgesses. In our times, we are accustomed to regard a Jury as a body of persons whose duty it is to hearken to evidence placed before them and to come to a decision upon such evidence. Nowadays it would be a disqualification if a Juryman knew or was told anything, about the matter he is to try before the public airing of it. The original idea, first used by the Normans in England for the compilation of the Domesday Survey of a Jury was a form of inquest of persons who from their local knowledge were most likely to know facts concerning the town and the area.

Besides having the power to determine matters placed before them, including petty crime, they had a duty to 'present' to the Lord or his Steward, all matters amiss within the Borough or

matters which they considered to be for its improvement or good government. They had the right to bear "presentments" made by individual Burgesses and to submit these to the Lord of the Manor together with their own "presentments". They appointed their own officers who in many ways correspond with those of a modern local authority. Thus we have Constables, Overseers of Pavements, Ale, Fish and Flesh tasters, Bread Weighers and Searcher and Sealer of Leather and Brook Looker. Their modern counterparts are not difficult to relate to.

Before the creation of the Corporation in Warwick, the Court Leet in conjunction with the Guilds, played a great part in the government of Warwick, but its criminal jurisdiction was gradually superseded by a more convenient jurisdiction of the Justices of the Peace. Courts leet survived for formal purposes until their legal criminal jurisdiction was abolished in 1977 by section 23 of the Administration of Justice Act 1977.

At the time of the Grant of the Charter of Queen Mary to Warwick in 1554, the Estates of the Earl of Warwick were in the hands of the Crown due to the execution of John Dudley and other members of his family for complicity in the plot to place Lady Jane Grey upon the Throne. In order therefore, to strengthen the powers of the Corporation, the Lordship of the Leet was granted to the Corporation by that Charter. This effectively gave the Mayor the appointment of High Bailiff; and the Town Clerk the Stewardship.

The Court Leet of Warwick has never ceased to function and until 1948 performed certain administrative functions relating to the Commons and St Mary's Lands. This particular function is now in the hands of the District Council.

The Court Leet has always been used and still is today, as an advisory body in calling attention of the elected representatives to anything amiss or for the betterment of the town. The present Jury is fixed at 24 persons.