

Constable ^[1]

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by Louis P. Towles, 2006

See also: [Colonial Period Overview](#) ^[2]

The constable was envisioned in the [Fundamental Constitutions of Carolina](#) ^[3] (1669-98) as one of the seven chief officers of the colony and having his own court. Although this role never materialized, the constable appeared as a servant of the Court of Albemarle as early as 1680 and of the precinct courts by 1696. Modeled on a British official, the constable was generally selected from the [planter class](#) ^[4] for a one-year term. He was expected to keep the peace and maintain the laws and statutes of the Kingdom of Great Britain, including all acts of the local Assembly. The constable was to be armed and to arrest anyone who made "contest, riot, strife or affray in breaking of the said peace."

In return, the constable was exempted from all taxes and excused from roadwork during his year in office. Serving warrants and summons or making arrests or attachments of property earned him one to two shillings per action. However, a constable was not allowed to succeed himself for five years or to hold any other [colonial](#) ^[5] or legislative office concurrently. He could be fined for not fully executing the orders of a justice, forced to forfeit at least 20 pounds for not returning tithable lists, and fined 50 shillings for failing to be sworn into office within a given period.

References:

Robert J. Cain, ed., *Records of the Executive Council, 1664-1734* (1984).

Mattie Erma Edwards Parker, ed., *North Carolina Charters and Constitutions, 1578-1698* (1963).

Additional Resources:

Fundamental Consitutions of Carolina, Yale Law School: https://avalon.law.yale.edu/17th_century/nc05.asp ^[3]

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Authors:

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From:

[Encyclopedia of North Carolina, University of North Carolina Press.](#) ^[10]

1 January 2006 | Towles, Louis P.

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