



Refusal to Act by a Parish Constable

William Maffey, parish constable, at Idmiston, was summoned for refusing to apprehend, on the 19th November, a railway labourer named William Jolly, who had been given into custody on a charge of stealing potatoes by Mr. Chubb, of the Plough, at Idmiston. Mr. C. Squarey appeared for the defence.

From the evidence it appeared that the defendant when ordered to take Jolly into custody refused to do so, alleging to Mr. Chubb that a warrant must be obtained. Mr. Squarey, for the defence, contended that a parish constable had a right to use his own discretion in the matter, and observed that he had looked through the legal authorities on this subject, and their language was that although a constable might apprehend without a warrant, it was nowhere stated that he must.

The Bench were of opinion that the case was proved, and they ordered the defendant to pay £1, including costs, or in default, 14 days' imprisonment.

Mr. Everett said the Bench were desirous that parochial constables should understand that they were in the same position as police constables, and he had no doubt that they were as much bound to act when charged to do so as the police were. He did not go further than that.

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