

MAINE STATE LEGISLATURE

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STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA

May 8, 1926

Captain Wilbur H. Towle
Chief State Police
Augusta, Maine

Dear Captain Towle:

In reply to your letter of May 4, addressed to Clyde R. Chapman, Attorney General, you ask "Has a State Police Officer the right to be a Justice of the Peace?".

I do not find that the Court has ever passed on this exact question, but it has been held by our Court in certain cases that, "The office of Justice of the Peace and constable of a town has been held to be incompatible; and the office of Justice of the Peace and coroner is incompatible."

The Court has further held that the office of Justice of the Peace is incompatible with that of sheriff, deputy sheriff or coroner.

From the foregoing, I am inclined to the opinion that a State Police Officer cannot rightfully be a Justice of the Peace.

Very truly yours,

Deputy Attorney General

SLF H