

# MAINE STATE LEGISLATURE

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No

September 23, 1953

To Hon. Leon L. Spinney, Judge, Brunswick Municipal Court  
Re: Chapter 297, P. L. 1953, "An Act Relating to Sheriffs  
and Deputy Sheriffs"

Unofficially. . . your attention is directed to the following pertinent provisions of our statutes:

1. Section 2, Chapter 13, R.S. 1944 (State Police):

"As arresting officers, or aids, or witnesses in any criminal case, they shall be entitled to the same fees as any sheriff or deputy. Such fees shall be taxed on a bill of costs AND shall accrue to the treasurer of state."  
(Underscoring supplied.)

2. Section 224, Chapter 79, R.S. 1944, (Constables):

"For services which may be performed either by a deputy sheriff or a constable, the constable is allowed the same fees as a deputy sheriff, unless otherwise provided." (Underscoring supplied.)

3. Chapter 279, P. L. 1953, "An Act Relating to Fees of Sheriffs and Deputy Sheriffs," Section 12 whereof provides:

"For service of a warrant, the officer" (state police) (to be taxed on a bill of costs and shall accrue to the treasurer of state) (Section 2, Chapter 13, R.S. 1944), (constable) (Words in parentheses supplied) "is entitled to \$2. . ."

In view of the foregoing statutory provisions, it is my unofficial view that the fee, heretofore \$1, is now \$2.

Alexander A. LaFleur  
Attorney General

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