

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

March 15, 1968

Mr. Graham H. Bell  
Buckfield  
Maine

Dear Mr. Bell:

It has just been called to the attention of this office that you are attempting to hold the offices of Notary Public, Justice of the Peace, and Constable of the Town of Buckfield. The positions of Notary Public and Justice of the Peace are incompatible with that of a constable. You cannot hold all three offices. This fact was established by the case of Pooler v. Reed, 73 Me. 129. In that case the court said:

"His appointment to an acceptance of the office of Justice of the Peace, after his election and qualification as constable, must be held to be a surrender of the office of constable. Stubbs v. Lee, 64 Me. 195."

According to the records of the Secretary of State, you were commissioned a Notary Public and a Justice of the Peace on July 17, 1963. I understand that you were appointed and qualified as a constable in June, 1966; possibly earlier, but at least you were appointed at that time. Your appointment as a constable having come later than your commission as a Notary Public and Justice of the Peace means that you are duly qualified as a constable but are no longer a Notary Public or Justice of the Peace.

You must cease from acting as a Notary Public or Justice of the Peace.

Very truly yours,

George C. West  
Deputy Attorney General

GCW:H  
cc: Doris Hayes