

# MAINE STATE LEGISLATURE

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July 18, 1941

Walter H. Tapley, Jr., Esquire  
Fidelity Building  
Portland, Maine

Dear Walter:

I enclose herewith a brief of law on the matter of suit on the bond for the benefit of creditors ~~and~~ investors defrauded by the illegal acts of William E. Atwood which I have had worked out by one of my assistants.

According to this you, in your capacity as receiver, apparently have no right to bring action on the bond but an action can be brought in the name of the State of Maine. I presume, if you have authority from this office to proceed, the Court might very well authorize you to do so and your fees could be paid out of recovery on the bond.

I suggest that you take the matter up with the Judge who appointed you as receiver, and if he approves of your going ahead in such an action I will authorize you to bring an action in the name of the State of Maine.

I am returning to you all the papers you sent me in this case.

Very truly yours,

Frank I. Cowan  
Attorney General

FEC III  
Enc.