

MAINE STATE LEGISLATURE

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October 7, 1941

J. A. Mossman, Esquire
State Controller
Augusta, Maine

Dear Sir:

In re Public Laws 1941, Chapter 37, Section 4,
Maine Nautical School.

The statute provides for the advance by the State of sums not in excess of \$15,000 per annum for the maintenance of the Maine Nautical School. It also provides that the Treasurer shall give a bond in the sum of not less than \$15,000 "with sureties approved by the Governor and Council, for its proper disbursement."

A bond has been filed which, I understand, has been approved as to form by the State Insurance Department but has not yet been before the Governor and Council for approval by them. A request has been made by the treasurer of the school for the advance by you of \$2,000 in order that the school might start operating October 9th. The Governor and Council will not be in session prior to October 9th.

In view of the fact that we recognize the existence of a National emergency and that this Maine Nautical School, so-called, is one of the instrumentalities set up by the State of Maine to aid in coping with that emergency, and, in view of the fact that any delay in starting the operations of said school would be detrimental to the best interests of the State of Maine and the National government, in my opinion you are justified in approving the advancement of this \$2,000 in view of the fact that the bond has been approved as to form and is actually in the State Insurance office, even though the Governor and Council have not yet had the opportunity of giving their formal approval of the bond. Such approval, in this case, would necessarily follow the approval of the bond by the Insurance Department.

Very truly yours,

Frank I. Cowan
Attorney General

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