

# MAINE STATE LEGISLATURE

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April 24, 1942

To Andrew J. Beck, Bank Commissioner  
Re: Closing Bank Doors on account of Air Raid Warning

I have your memo of April 14th in regard to possibility of a bank having to close its doors because of an air raid warning. The question was presented to you by H. L. Nason, Assistant Treasurer of the Bangor Savings Bank.

It seems to me that Mr. Nason is unduly alarmed and even if properly alarmed, he is proceeding along the wrong line. In the first place, if a bank is forced to close its doors temporarily by reason of a disastrous fire, an air raid, a boiler explosion, a hurricane or an earthquake, the courts have stated the law clearly enough so that there is ample protection for the bank. Acts of God and a public enemy are in the same category if I understand my law correctly.

An added reason why no ruling should be made in advance in regard to banks can be found in two arguments. The first is that we don't know what the facts will be and we are putting out an anticipatory ruling which may not take care of the situation, and the second is one suggested by Mr. Putnam that having any ruling published might raise in the minds of any bank depositors the question of the safety of the banks as a place of deposit, a ticklish matter that we never like to see raised.

For the above reasons I advise against any Executive Order along the lines suggested by Mr. Nason.

Frank I. Cowan  
Attorney General

FIG:GH  
cc: Governor Sewall