

MAINE STATE LEGISLATURE

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August 25, 1944

To William D. Hayes, State Auditor
Re: Insurance, University of Maine

I have your memo of August 23rd in regard to the fire insurance schedule of the State of Maine as applied to the University of Maine buildings.

The decision of the Law Court of the State of Maine says that the University is a private corporation. As you know, I have endeavored to split the atom on that point and leave the college itself private and as free as air, but holding the material assets as the property of, and instrumentalities of, the State of Maine. Whether my endeavor will be crowned with the laurel of approval by the courts, or the well-known brick of disapproval, only the future can tell. My argument may be too subtle to be followed, or it may be too dumb to be followed, and if for either of those reasons the argument is not followed, we land back in the position from which we started.

I think it would be much safer if the insurance policy omitted the words, "belonging to the State of Maine and". This would leave us the following language: "\$3,217,825 on all buildings operated as the University of Maine, etc."

Frank I. Cowan
Attorney General

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