

MAINE STATE LEGISLATURE

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July 18, 1945

To J. J. Allen, State Controller

Subject Edward J. Thibodeau

I have your memo of July 5th in which you enclosed invoice payable to Edward J. Thibodeau and the attached papers which include an extract from the record of the meeting of the State Highway Commission on June 13, 1945, on which date the Highway Commission voted to reimburse Mr. Thibodeau for the actual cost of repairing his car, which was \$34. according to the repair bill. . . giving the items of the repairs. . .

You ask if in my opinion this is an authorized expenditure for the Highway Commission.

In reply to your question I will say that I find no statute authorizing the State Highway Commission to settle claims for damages done to automobiles on State highways, where there is a question of negligence on the part of the Commission or some of its employees. However, as the State Highway Commission has voted to pay this bill and ~~has~~ agreed with Mr. Thibodeau to take care of it, I think that your department would be letting the Highway Commission down, if this bill was not taken care of. My opinion on this particular matter should not be regarded as a precedent, because passengers in an automobile may possible in the future be injured in such an accident and claims for damages running into thousands of dollars may be lodged against the Commission, and I would not want to say that the Commission might adjust these claims without resort to the court.

I have approved this particular invoice so that Mr. Thibodeau may receive his check and at the same time the Highway Commission may meet this obligation in this respect. . .

Ralph W. Farris
Attorney General

RWF:c

;;; Lucius D. Barrows, Chief Engineer, SHC