

File No. 92490

May 11, 1954

Mr. Elmer F. Bernhardt
Chief, Central Payroll Bureau
City Hall
Baltimore - 2, Maryland

RE: Case of Mrs. William Cupak

Dear Mr. Bernhardt:

This is in reply to your letter of April 29, 1954, in which you request this office to advise you as to whether or not you can release the salary and wages now held by you in the amount of \$76.56 to the wife and family of Mr. Cupak, who disappeared from this city.

This office has never advised the paying of any monies held by the Central Payroll Bureau to any person other than the employee, unless said person is authorized by the employee in writing, or unless there is proof that the said employee is deceased. Since the whereabouts of Mr. Cupak are unknown, and it is possible for him to return at any time to claim his wages, it would be inadvisable to release his salary to an unauthorized person.

Our opinion, therefore, is that it would be an unwise procedure to deviate from your present rules and that the salary in question which you now have in your possession should not be released to anyone except the employee, or an individual authorized by him, unless there is some proof that he is deceased.

Very truly yours,

/s/ THOMAS N. BIDDISON
City Solicitor

/s/ PAUL A. DORF
Assistant City Solicitor

PAD/keb