

Mr. Howard C. Beck, Jr., City Auditor (cont'd)

As to whether the City could or should require a bond to be filed by a person acting under a Power of Attorney, the City is not given this authority under the Charter. The procurement of a bond, on the other hand, would be extremely difficult to secure and the impracticabilities involved in such procedure would not, in our opinion, be warranted. The important rule of law governing the issues presented, is that the Bank, at its peril has the duty to certify the genuineness of the signature and this responsibility is reposed in it. In the absence of ascertainable negligence by the City, we believe that the City could effect a recovery against the Bank where one improperly cashes a check after the payee's demise.

Very truly yours,

/s/ EDWIN HARLAN
Deputy City Solicitor

/s/ IRVIN A. ADLER
Assistant City Solicitor

IAA/eba

File No. 96663

October 31, 1956

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

Dear Mr. Bernhardt:

In your letter of October 10, 1956, you ask our opinion concerning the use of the letters "PP" to denote "power of attorney". As you know, a "power of attorney" is an instrument by which the authority of one person to act in the place and stead of another as attorney-in-fact is set forth. In searching for an authority for the use of the letters "PP" as an abbreviation denoting a "power of attorney" we located the following in Black's Law Dictionary (4th Ed.):

"Procurator. Agency; proxy, the act of constituting another one's attorney-in-fact; * * *
The use of the word 'procurator' (usually per