

File No. 10208 Continued.

CORRESPONDENCE.

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and clerks of this sub-department? The documents, according to the custom of the office, are now held by our chief clerk, but we are not convinced that this comports either with legal requirements or sound business practice.

The bonds of the judges of this Court and of the Chief Clerk are held by the Mayor. We can think of no good reason why there should be a distinction in this regard, in the case of the other bonds. It occurs to us, that in the absence of some statutory provision to the contrary, the City Comptroller should be the custodian, since he is obliged to know that all officials and employees are properly qualified when he passes their periodical salary warrants.

Very truly yours,

(Signed) Oscar Leser,
President.

File No. 10208.

OPINION.

LAW DEPARTMENT.

Baltimore. June 28, 1909.

Hon. Edgar Allan Poe,
City Solicitor.

Dear Sir:-

As requested by your favor of June 24th, I have considered the inquiry of Judge Leser, contained in his letter of June 23rd, in which he desires to know who is the proper custodian of the Bonds given to the City by the assessors and clerks in his Department.

Code 1906, Art. 38, Sec. 1 and Sec. 2, requires the assessors and clerks to "give bond for the faithful performance of their duties in such penalty and with such security as the Appeal Tax Court may determine". Nothing is said as to who shall be the custodian of these Bonds, nor do I find any provision in the Charter or Ordinances bearing upon this subject. In the absence of any such provision, I should

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