

File No. 20022.

Baltimore, January 24, 1916

Daniel J. Loden, Esq.,  
Collector, Water  
Rents and Licenses,  
Baltimore, Md.

Dear Sir:-

Your letter to the City Solicitor, dated January 20, 1916,  
and enclosures have been referred to me for reply.

From the above correspondence I understand that the  
Columbian National Life Insurance Company recently purchased proper-  
ty No. 19 South street, commonly known as the "Arcade", against  
which there is an overdue charge of \$11.03 for water consumed as  
per the reading of the water meter installed in said premises and  
that said water, or at least a part thereof, was supplied to said  
building prior to the acquisition thereof by the above Life Insur-  
ance Company.

The attorneys for the present owner dispute the right of  
the City to hold said property responsible for the payment of the  
overdue account and in support thereof they cite the case of  
William v. Kent 67 Md. 350. I beg to advise that neither the rights  
nor remedies of the City in connection with water rents or meter  
charges were involved in that case; the question there presented  
was between landlord and tenant.

Under the Acts of the Legislature and the Ordinances of  
the City passed in pursuance thereof, the City, in a case like the  
present, undoubtedly has the following remedies for water supplied  
whether the charge is fixed by the front foot rule or the reading  
of a meter:

1. A lien in rem upon and against the property served.  
which lien may be enforced by a sale of said property.
2. By stopping the supply of water and refusing to supply  
said property with water until all arrearages are paid.
3. By suit in personam in the same manner as other debts  
are collected.

The right of the City to resort to the above remedies was  
fully sustained in the case of Wolff et al., Receivers, v Quick, et al.