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lane, alley, place or court were private, the Commission would have ample powers under the Act to purchase or condemn the necessary rights of way for its sewer connections.

3585 It follows that, in my opinion, even in the case of numerous small buildings, built on as many separate and distinct lots, fronting on or running back to a small court, the Commission would be obliged to lay down a local sewer or drain in the court connecting with its trunk sewerage system, and to so locate or equip this sewer or drain as to receive, at the boundary line of each of the lots, the house drainage from the building thereon.

The conclusion I have reached may considerably enhance the cost of the proposed sewerage system as a whole, but any other would, in my judgment, result in giving to the new System a scope unduly restrictive of the public objects which inspired its conception, and in perpetuating to a large extent the unsanitary and irritating conditions now prevalent.

3586 I might expressly add (though this would be inferable from what I have already said) that I do not think that the Sewerage Act contemplates the construction of local sewers for the benefit of parcels of land not yet built upon, though the general plan of the Commission would doubtlessly involve the creation of district sewers, from which such local sewers would afterwards be readily built by the City Engineer in the exercise of the ordinary powers of the City in its relation to sewers. The requirement of the Act is that all owners of property shall connect their respective house drains with the sections of the new Sewerage System as these sections of that System are from time to time completed by the Commission. This language appears to me to be applicable only to lots already built upon.

3587 It is hardly necessary, I imagine, for me to further add that, in my opinion, under the broad terms of the Sewerage Act, the Sewerage Commission would have the power not only to adopt any existing public sewer or drain, but to buy or appropriate by condemnation any existing private sewer or drain that it thought adequate to its purposes, and that what I have previously said in this letter about the obligation of the Commission to construct local sewers is to be construed in the light of this statement.

Truly yours,

(Signed) W. Cabell Bruce.

City Solicitor.