

File No. 11224 Continued.

OPINION.

8886

Commission, after it had acquired full information in respect to any particular private drain, should hesitate to state to the owner in what respect the said drain, in the opinion of the Commission, was defective, and, therefore, not proper to be incorporated into the general sewerage system.

I suggested further to Messrs. Flanigan that, of course, where the Commission failed to construct laterals in any particular territory, where private drains were in existence, it indicated that the Sewerage Commission was seriously considering incorporating, at the proper time, such private drains into the general sewerage system; that the owners could not expect the Commission to actually commit itself to any such further action.

8887

I told Messrs. Flanigan also that the Commission stated to me that they had not promptly furnished full information in respect to their various private drains, and that this failure on their part greatly handicapped the Commission. They insisted that they had furnished the fullest information with promptness. They claim, of course, that they are only interested in their private drains being taken over, because, in this way, the various property owners will be saved expense.

8888

I pointed out to them that this being their main object, there was no harm done, therefore, by the Sewerage Commission's action in building laterals in the alleys paralleling their drains in the neighborhood of Homewood avenue, Greenmount avenue, North avenue and Twentieth Street. I would suggest, therefore, that the Sewerage Commission notify Messrs. Flanigan and Sons just why their private drains in this particular locality are not suitable to be incorporated into the general sewerage system.

The only further suggestion that I can make is that, in the future, and certainly until after the Loan has been passed, the Commission deal as leniently as possible with the deficiencies in the private drains.

Truly yours,

(Signed) Edgar Allan Poe,

City Solicitor.