

File No. 11,693 Continued.

CORRESPONDENCE.

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but this drain cannot be taken over by the Sewerage Commission because of the fact that the old spring at "A" drains into it, and also because it has certain roof-water connections. Under these circumstances, the following questions arise:

- A. Is the Sewerage Commission obliged to build a sewer in this alley under the terms of the Act authorizing the new Sewerage Loan?
- B. If so, is it necessary to obtain a right of way from the owner of the bed of the alley, or can this alley be considered a public thoroughfare, such that the Commission is warranted in going ahead and building the sewer unless stopped by legal proceedings, in accordance with the instructions given some time ago by His Honor, the Mayor?
- C. If it is found unreasonably expensive to secure a right of way in this alley and the Commission, therefore, decides not to build a sewer in the alley, would the owners of premises 218-226 Charles street have the right, by virtue of their connections to the existing sewer, to step in and build a private sewer in accordance with our plans and under our supervision, to connect to the sanitary sewer which we would build in Camden street?

2. Referring to premises 13 Pratt street, there is a building in the rear, marked "y" on the drawing, which belongs to the same owner but is located on a separate lot. In a letter addressed to the Sewerage Commission by Mr. W. Cabell Bruce, former City Solicitor, dated May 18th, 1906, he says - "In my judgment, these sweeping terms contemplate that the new sewerage system shall be brought to the front or rear of every separate and distinct lot of ground in the City which is occupied by a separate and distinct building." Would the Sewerage Commission comply with the requirements of the law by carrying a sewer connection for these premises to the south building line of Pratt street, or will it be required to build a sewer in Spring Court, if demanded by the owner of the building "y" in order to give a connection at the lot line of the lot on which building "y" is located, it being my understanding that Spring Court is private property?

3. At the easterly end of Schaefer's Court there are two buildings which are owned by one party. I understand that the property line is at the point marked "z", and I do not know whether Schaefer's Court, west of this point, is or is not a public thoroughfare. I am informed, however, that there is a City street lamp located at the extreme easterly end of this Court. I assume that the Sewerage Commission must carry a connection at least to the point "z". The further point upon which I would like to have your opinion is whether the Commission is either required or entitled to carry the sewer further, so as to give a separate connection to each building, as required by the plumbing regulations.

Referring to drawing 33-1816, the same question arises regarding the alley "B" as regarding the alley "x" on drawing 33-1815, i.e. is the Sewerage Commission either required or entitled to build a public sewer in the alley "B", which is private property, as evidenced by the gate at the Camden street end?

Other questions, in connection with this drawing, are as follows: