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its tributaries, in contravention of Paragraph 8 of the Sewerage Act, which contains the following proviso:

> "And provided further that said Commission shall have no authority to construct and establish any sewerage system involving the discharge of sewage, as distinguished from storm water or ground drainage, into the Chesapeake Bay, or any of its tributaries".

2837 This proviso was forced upon the City by the obdurate belief of the counties fronting on, or intersected by, the Chesapeake Bay and its tributaries that the discharge from the proposed sewerage system into these waters might be injurious to the oyster and fish industries of the State. That it was this which inspired the opposition of the counties in question is clearly shown by the terms of Chapter 19 of the Acts of the Extra Session of the General Assembly of Maryland of the year 1901, which provided that the resultants of the sewerage system for the City of Baltimore contemplated by that Act might be discharged into the Chesapeake Bay, or its tributaries, if pronounced under certain conditions "to be free from all impurities which could be injurious to the oyster and fish industries of the State of Maryland".

2838 The present Sewerage Act was not passed, if my recollection accurately serves me, until the last day of the Session of the General Assembly of 1904, and not then until after a desperate contest between the City and antagonistic corporate and other private interests, which, down to the very day of its passage, appeared to make its passage all but hopeless. The result was, not only this proviso in its present form, but also numerous other amendments so clumsily drafted as to give a crude or obscure term to various other portions of the Act. The City simply had to take what it could get, and the present Act was the best that it could get, and it felt all the more strongly constrained to accept the present Act in its final form because all its efforts to secure any satisfactory bill at all, at any previous session of the Legislature, had proved abortive, and it was believed by Mayor McLane that, if some sort of Act could only be obtained as a beginning, the task of subsequently perfecting it by supplemental legislation would be comparatively easy. When the Sewerage Act was passed, the blow inflicted by the Great Fire to the City was too recent for anyone to anticipate that the recuperative vigor of the City would assert itself early enough for the work of the Sewerage Commission under it to commence as soon as it has done.