File No. 3513 Continued. OPINION.

2839 At the conference which took place a few days ago, at the office of the Commission, between the members of the Commission and Messrs. Gray, Herring and Stearns, its Consulting Engineers, and myself, I was positively assured, first, that it is absolutely impossible for the Commission to construct any sewerage system the final effluent from which at least would not have to be discharged into one of the tributaries of the Chesapeake Bay, and, secondly, that the crude sewage which will be handled by the sewerage system now proposed to be established by the Commission will be subjected to such a searching process of filtration that the final effluent from that sewerage system could not possibly be in the least injurious to the oyster and fish industries of the State when discharged, as it is proposed by the Commission to discharge it, into a tributary of the Chesapeake Bay. Having received these assurances, which exercise a controlling influence in shaping my opinion, I beg leave to say that I believe it would be held by the Courts, if the question were ever raised, that the prohibition contained in the proviso above mentioned is applicable only to crude sewage, and not to an effluent so entirely innocuous to fish life as that which the sewerage system that the Commission intends to establish is expected to produce.

2840 The intent of the Legislature in passing a statute may be gathered not merely from the language of the enactment, but also from the causes or necessity which prompted its passage and from foreign circumstances, Roland Park Co. vs. The State, 80 Md. 451. It is also held that a proviso in a statute must be construed strictly, Johns vs. Hodges, 62 Md. 537, and should be construed with reference to the language immediately preceding it, Wolf vs. Bauereis, 72 Md., 481. The proviso under consideration occurs in Sec. 2 of the Sewerage Act, and by the preceding terms of that section the Commission is charged with the duty of projecting, constructing and establishing a sewerage system for the collection, transmission and disposal of the house and other sewage and drainage of the City of Baltimore, including, either as a combined or separate feature of said system, the collection, transmission and disposal of storm and ground water respectively, and is clothed with each and every and all powers which by anything short of a palpably forced construction may be held to be necessary or proper for these purposes, or either of them.