File No. 3513 Continued. OPINION.

2841

Since the Legislature has thus charged the Commission with the duty of disposing of the sewage of the City of Baltimore, and this it cannot do unless the fluid element by which such sewage is transported is allowed, after being separated from the sewage itself, to discharge into the Chesapeake Bay, or one of its tributaries, it follows, in my judgment, that this fluid element can be lawfully discharged into one of the tributaries of the Chesapeake Bay. It requires, in my opinion, no palpably forced construction of the proviso, which, as we have seen, like all statutory provisoes, must be construed strictly to attribute to the Commission the power of causing this to be done. It is not to be reasonably supposed that the Legislature could have intended to empower the Commission to dispose of the sewage of the City of Baltimore, and yet to have intended to deny to it the power of causing something to be done without which the power itself of disposing of the sewage could not be exercised at all. That would be giving with one hand and taking back with the other, and would involve the implication that the whole Sewage Act was absurd - a conclusion that the Courts will never tolerate in the case of a statute unless there is no escape from it, the rule being that statutes should be so construed as not to suffer any part of them, much less the whole of them, to be defeated or eluded. Gordon vs. Mayor, etc., of Baltimore, 5 Gill 231.

2842

It is well-settled that the result which may follow from one construction or another of a statute is a potent factor in determining the legislative intent, Roland Park Co. vs. State, 80 Md., 453. The obvious purpose of the Sewerage Act was to provide an improved system upon an immense scale, by which the people of Baltimore City could secure both their comfort and health against the discomfort and dangers which lurk in an imperfectly drained city. The law, therefore, is a remedial law, and is to be construed liberally to advance the remedy and obviate the mischief. Franklin vs. Franklin, 1 Md. Ch. 342. Such a statute is not to be restricted in its scope and application by the narrow significance of its words. Roland Park Co. vs. State, 80 Md.451.

2843

What is within the intention of the law makers is within the statute, though not within the letter. Mayor, etc., of Baltimore vs. Root, 8 Md. 95. The mischief contemplated by the proviso in the Sewerage Act which we have been discussing is, as we have seen, injury to the oyster and fish industries of the State, and if the water by which