

pleteness of a public system of water supply, sewerage or refuse disposal in any County, municipality, district, sub-division or locality is, in the opinion of the State Board of Health, sufficiently prejudicial to the health or comfort of that or any other County, municipality, district, sub-division or locality; then the State Board of Health may issue an order to the effect that a public system of water supply, sewerage or refuse disposal shall be installed and put into operation, or the existing system completed, in that County, municipality, district, sub-division or locality, within a specified time; or the Board may order the installation of such devices or the institution of such methods, and enforce such measures or regulations, as it may deem proper under the circumstances.

Act of 1914, ch. 810, is valid under the police power. While the construction of a sewerage system is in one sense a work of internal improvement, it is not such a work as is within the prohibition of art. 3, secs. 54 and 34, of the Md. Constitution. Since the case at bar in no wise affects Baltimore city, its debt-incurring power need not be considered; an act may be constitutional in part and unconstitutional in part. Act of 1914 does not attempt to invest state board of health with power to issue bonds, pledge credit of any county, incur indebtedness or levy any tax upon property in any county; this power rests solely with county commissioners. While the order of board of health is mandatory upon county commissioners, it is not so as to manner in which it shall be carried out or as to how its execution shall be paid for. While the reasonableness of exercise by state board of health of power conferred upon it by act of 1914 is always open to question, the action of the board in this case was not arbitrary or unreasonable. Case remanded. *Welch v. Cogan*, 126 Md. 10; *Ludwig v. Baltimore County*, 131 Md. 352.

An. Code, sec. 276. 1914, ch. 810, sec. 8.

335. After April 16, 1914, the State, a County, municipality, district, corporation, company, institution, or person shall not install a system of water supply, sewerage or refuse disposal, for public use, nor materially alter or extend any such existing system, without having received a written permit from the State Board of Health so to do; nor shall any permit for this purpose be issued until complete plans and specifications for the installation, alteration or extension, together with such information as the State Board of Health may require, have been submitted and approved by the Board. All construction shall take place in accordance with the approved plans. In case it shall become necessary or desirable to make material changes in plans or specifications, such changed plans or specifications, together with a statement of the reasons for the alterations, shall be submitted to the State Board of Health, and no material changes shall be embodied in the actual construction until they are approved by the Board and a permit issued therefor. After completion of the work a certified copy of the plans in full, showing the work as built, shall be filed with the State Board of Health for permanent record. The State Board of Health shall be empowered to make and enforce such rules and regulations regarding the submission of plans for approval and record as it may deem reasonable and proper. Before plans are drawn, or application filed, for a prospective system of water supply, sewerage or refuse disposal, a preliminary statement concerning the improvement may be made to the State Board of Health, whereupon the State Board of Health shall, if requested, outline the general requirements of the case conformity with which would meet with the Board's approval. Whenever application shall be made to the State