

this sub-title shall, for any reason, be adjudged by any court of competent jurisdiction to be unconstitutional or invalid, in any particular application, and the said clause, sentence, paragraph or section of this sub-title shall be constitutional and valid when otherwise applied, such adjudication shall not affect, impair or invalidate said clause, sentence, paragraph or section, but shall be confined to the particular application so found unconstitutional or invalid.

Water, Ice and Sewerage.

An. Code, 1924, sec. 328. 1912, sec. 269. 1914, ch. 810, sec. 1.

372. The term "Waters of the State" shall include that portion of the Atlantic Ocean and its estuaries within the State of Maryland, the Chesapeake Bay and its estuaries, and all springs, ponds, streams, wells and bodies of surface or ground water, whether natural or artificial, within the boundaries of this State or subject to its jurisdiction. "Sewage" shall mean human and animal excretions, street wash, and all domestic and manufacturing waste. "Waterworks," "water supply" and "water supply system" shall mean the sources and their surroundings from which water is supplied for drinking or domestic purposes, together with all structures, channels and appurtenances by means of which it is prepared for use and delivered to consumers; excepting only the piping and fixtures inside the buildings served. "Sewerage system" shall mean the channels by which sewage is collected and disposed of, together with the body of water into which it is directly discharged, and all structures and appurtenances, made use of in its collection and preparation for discharge in satisfactory condition into the waters of the State; excepting only the plumbing system inside the individual buildings served. For the purposes of this sub-title, any sewer, no matter what its length and size may be, shall be sufficient to constitute a sewerage system.

Proceedings of county commissioners of Baltimore county establishing sewerage area, as directed by the state board of health, held proper. When appeal lies from circuit court, and from county commissioners to circuit court and to court of appeals; appeal dismissed. *Ludwig v. Baltimore County*, 131 Md. 352.

Act of 1914, ch. 810, does not affect a contract made prior to its passage, nor would it, if applicable, be a valid defense to a suit on the contract. *Prayers. Co. Commrs. v. Belair Sub. Imp. Assn.*, 134 Md. 554.

The right of access of cattle to Peterson's Run held precarious in view of the act of 1914, ch. 810. *Brack v. Baltimore*, 125 Md. 390.

See notes to sec. 378. See art. 27, sec. 620.

As to plumbing, see sec. 318, *et seq.*; as to nuisances, see sec. 103, *et seq.*; as to adulteration of food and drink, see sec. 176, *et seq.*

An. Code, 1924, sec. 329. 1912, sec. 270. 1914, ch. 810, sec. 2.

373. The State Board of Health shall have general supervision and control over the waters of the State, in so far as their sanitary and physical condition affect the public health or comfort; and it may make and enforce rules and regulations, and order works to be executed, to correct and prevent their pollution. It shall investigate all sources of water and ice supply, and all points of sewage discharge. It shall examine all existing public water supplies, sewerage systems and refuse disposal plants, and shall have power to compel their operation in a manner which shall protect the public health and comfort, or to order their alteration, extension or replacement by other structures when deemed necessary. After April 16, 1914, it shall pass upon the design and construction of all public water supplies, sewerage systems and refuse disposal plants which shall be built within the State.