

would be open to question, all acts of the Commission might likewise be questioned. In this connection, it should be noted that the Sanitary Commission is authorized to issue and sell bonds, which have heretofore been purchased by New York firms. I have no doubt that counsel for the bonding houses would inquire into the legality of the appointment of the members of the Commission, and it is possible that the entire operation of the Sanitary Commission would be suspended pending a judicial determination of the matter.

It might be urged that the intent of the Legislature could be carried into effect by the Governor and the County Council agreeing as to the tenure of office for the four members of the Commission. In this connection, however, I believe that the decisions of our Court of Appeals are particularly applicable. I refer to the case of *Bosel et al. v. Dorsey*, 191 Md. 229, where the Court said:

“Generally, a court is not at liberty to surmise a legislative intent contrary to the letter of the statute, or to indulge in the license of inserting or omitting words with the object of making the statute express an intent which is not evidenced in the original form. Where the language is unambiguous, the court has no power to evade it by forced and unreasonable construction in order to assert its own ideas of policy or morals. Interpolation of words, in order to make a statute include matters which the Legislature did not expressly include, invades the function of the Legislature. We have held that even though a certain provision, which has been omitted from a statute, appears to be within the obvious plan or purpose of the statute, and to have been omitted by inadvertence, nevertheless the court is not at liberty to add to the language of the statute.”

The Washington Suburban Sanitary District is a municipal corporation of great importance to the residents of Montgomery and Prince George's Counties. The development of these counties depends upon adequate sewer and water facilities, and should the acts of the Commission be questioned because of irregularity in the appointment of its members, serious complications in both counties would result.

Therefore, I am returning this Bill without my approval.

Respectfully,

THEODORE R. MCKELDIN,
Governor