

Telegraph and Telephone Companies.**357.**

As to injury to telegraphs and divulging the contents of messages, see article 27, sections 440 and 441.

359.

Notwithstanding this section, if a pole is erected so near the beaten track as to endanger the safety of travelers, it must be regarded as incommoding the public in the use of the road. This section dealt with in a suit for personal injuries, alleged to have been caused by the location of a telegraph pole too near the road. The term "unavoidable" qualifies only the restriction upon interference with the convenience of land owners and does not relate to the provision against incommoding the public use, to which the adverb "injuriously" is applied. Recital of a statute in prayers. *Phelps v. Howard County*, 117 Md. 180; *Earp v. Phelps*, 120 Md. 287.

368.

When the public service commission has prescribed rates in pursuance of the authority vested in it by sections 413 *et seq.*, sections 368 to 373 are to that extent repealed—see sections 444 and 453. See note to section 413. *Gregg v. Public Service Commission*, 121 Md. 26.

369.

See note to section 368.

370.

See note to section 368.

371.

See note to section 368.

372.

See note to section 368.

373.

See note to section 368.

375.

This section is a duplicate of article 27, sections 358 and 359.

376.

This section is a duplicate of art. 27, sec. 360.

377.

This section is a duplicate of art. 27, sec. 361.

Turnpike, Plank Road and Passenger Railway Companies.**382.**

As to fraud upon turnpikes, see article 27, section 209.
As to "Turnpikes," see also article 27, section 475.

389.

As to condemnation, see article 33A.