

of said commission with power in the commission to regulate rates, but until the commission does so regulate, any acts in force respecting rates remain unimpaired. See note to section 368. *Gregg v. Public Service Commission*, 121 Md. 1.

The Baltimore Refrigerating and Heating Company held to be at least a *quasi* public service corporation. The definition of "heating and refrigerating companies" in this section, referred to. *Homer v. Balto. Rfg. & Heating Co.*, 117 Md. 420.

See notes to section 439.

1914, ch. 445, sec. 1½.

413A. The term "Common Carrier," when used in this sub-title, shall likewise include all automobile transportation companies, and all persons and associations of persons, whether incorporated or not, operating automobiles or motor cars, or motor vehicles, for public use in the conveyance of persons or property within this State; and every municipal corporation of this State engaged in the business of manufacturing and supplying or of supplying gas or electricity for other than municipal purposes shall be included within the terms "Gas corporation" and "Electrical corporation" as defined in the next preceding section of this sub-title, and shall be subject as other gas and electrical corporations are to the provisions of this sub-title.

1910, ch. 180, sec. 2 (p. 342). 1914, ch. 750.

414.* There shall be a public service commission, and the same is hereby created and established, which said public service commission shall be vested with and possessed of the powers and duties in this sub-title specified, and also all powers necessary or proper to enable it to carry out fully and effectually all the purposes of this sub-title.

The said public service commission shall consist of three members, all of whom shall be appointed by the governor, and one of whom shall be designated by the governor to be and, upon being so designated, shall be the chairman of said commission.

Each commissioner, at the time of his appointment and qualification, shall be a resident of the State of Maryland, and shall have resided in said State for a period of at least five years next preceding his appointment and qualification, and he shall also be a qualified voter therein and not less than twenty-five years of age.

One of said commissioners shall hold office for two years from the beginning of his term of office and until his successor shall qualify; one of said commissioners shall hold office for four years from the beginning of his term of office and until his successor shall qualify; and one of said commissioners shall hold office for six years from the beginning of his term of office and until his successor shall qualify. The term of office of each commissioner shall begin on the first Monday of May,

*The portion of this section repealed and re-enacted by the act of 1914, ch. 750, takes effect from April 13, 1914, save that the increase of salary of the two members of the commission (other than the chairman) in office on April 13, 1914, does not become operative until the expiration of their respective terms of office.