

to be only test of reasonableness of commutation rates. Portion of order fixing duration of rates modified. *Penna. R. R. Co. v. Public Serv. Com.*, 126 Md. 65.

If the charter of a railroad authorizes it, without requiring it, to extend its road to a certain point, it may not be compelled to make such extension if same would not be remunerative. The manner of construction, equipment and operation of such extension is to be determined by the directors of the company, and when their judgment is honestly exercised may not be controlled by commission or courts. *Public Serv. Com. v. U. R. & E. Co.*, 126 Md. 487.

See secs. 210, 265, 271, 364 and 384, and notes to sec. 368.

An. Code, sec. 435A. 1912, ch. 162.

**374.<sup>1</sup>** Whenever the commission shall be of the opinion after a hearing upon its own motion or upon a complaint made as provided in this act, that the issuance by common carriers in this State of mileage, excursion, school commutation or commutation passenger tickets, or joint interchangeable mileage tickets, would be a desirable advantageous and reasonable thing for the people concerned to demand, it shall be the duty of the commission to order the common carrier, or common carriers, to establish such rates and issue such tickets as the said commission may deem reasonable and proper; such tickets to be good on any or all branches, lines or sections of the carrier's route in this State, or only on certain specific branches, lines or sections, as the commission may order and direct.

See art. 23, sec. 264, *et seq.*, and notes to sec. 373.

An. Code, sec. 435B. 1914, ch. 668.

**375.<sup>2</sup>** Whenever the commission shall be of the opinion after a hearing, upon its own motion or complaint made, as provided in this sub-title, that it would be reasonably advisable and proper to require common carriers to give receipts for containers of dairy products or of other property or goods received for transportation within this State, whenever said containers are intended to be returned; the commission shall determine the form of said receipt and the proper regulations in respect to the issuing of the same, and the return of said containers, subject to the provisions of this section, and shall so fix and prescribe the same by order to be served upon every common carrier or other person or corporation to be bound thereby; and thereafter it shall be the duty of every such common carrier, or other person or corporation, to observe and obey each and every requirement of every such order so served upon it; and upon the day that any such order shall become operative and effective, the following provisions of this section shall become operative and effective and shall remain so as long and for such time as any such order of the commission is in effect.

Any common carrier issuing a receipt for a container, as described herein, shall be liable to the lawful holder thereof for any loss, damage or injury to such container caused by it or by any other person, firm or corporation to whom such container may be delivered, and no contract, receipt,

<sup>1</sup> Sec. 1 of the act of 1912, ch. 162, directs that sec. 435A be entitled "The Regulation of the Issuance by Common Carriers in this State of Mileage, Excursion, School Commutation or Commutation Passenger Tickets and Joint Interchangeable Mileage Tickets."

<sup>2</sup> The act of 1914, ch. 191 (approved April 10, 1914), is identical with this section down to the words "order so served upon it" and from the words "no common carrier shall charge" to the end of the section. Ch. 668 was approved April 13, 1914.