

service, without the permission and approval of the Commission first obtained, after due hearing, and the determination by the Commission that the present or future public convenience or necessity permit of such abandonment or discontinuance of the exercise of such franchise or right.

This section referred to in construing art. 56, secs. 251-257A. Pub. Serv. Commn. *v. Williams*, 167 Md. 330.

Cited in holding valid ch. 497, 1931, exempting W., B. & A. R. R. Co. *Williams v. Mayor*, 289 U. S. 45.

Approval of Public Service Commission before carrier may abandon exercise of any franchise held to apply to mere voluntary action by carrier and not to abandonment required by contract or operation of law. *Duvall Co. v. W., B. & A. Elec. R. Co.*, 60 Fed. (2nd), 315.

1929, ch. 520.

380A. In all proceedings before the Commission in which the permission, approval, authority or consent of the commission shall be applied for under the provisions of Sections 379, 380, 390, 391 or 394 of this sub-title, the commission may require that it be shown by clear and satisfactory evidence that the granting of such permission, approval, authority or consent is required by, or consistent with, the public interest, in addition to compliance with other requirements of said sections; and when such proof is required hereunder the burden of proof shall be upon the applicant.

This section referred to in construing art. 56, secs. 251-257A. Pub. Serv. Commn. *v. Williams*, 167 Md. 330.

381.

Cited but not construed in *Potomac Ed. Co. v. Pub. Serv. Commn.*, 165 Md. 472.

Cited in dissenting opinion in *United Railways v. West*, 280 U. S. 258.

See notes to sec. 347 and to art. 3, sec. 33. of Constitution.

1933, ch. 381.

381A. No corporation subject to the provisions of this sub-title, organized or existing, or hereafter incorporated, under or by virtue of the laws of the State of Maryland, shall assume any obligation or liability as lessor, lessee, guarantor, indorser, surety, or otherwise, in respect of the stock, bonds, notes or other evidence of indebtedness, payable at periods of more than twelve months after the date thereof, of any other corporation, or of any person, partnership or association, without the authorization of the Commission first obtained, and the determination by the Commission that such assumption of obligation or liability is lawful and proper and consistent with the public interest.

383.

Cited but not construed in *Ruark v. Engineers' Union*, 157 Md. 585.

385.

Value of United Railways of Baltimore for purpose of fixing rate base; easements in streets; valuation for tax purposes. Value of property based on earnings excluded. Fair return. *Miles v. Pub. Serv. Commn.*, 151 Md. 338.

Cited but not construed in *Potomac Ed. Co. v. Pub. Serv. Commn.*, 165 Md. 459.

See notes to secs. 373 and 392.