

400.

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

401.

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

402.

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

404.

Inasmuch as the commission is named to uphold validity of its order, it becomes the representative of all interests save those attacking order; City of Hagerstown proper, but not necessary, party. Waiver of venue. Suit properly begun in Baltimore City rather than Washington County. Sec. 409 imposes no limitation upon portion of this section *re* where suit may be brought. *Pub. Serv. Commn. v. Byron*, 153 Md. 468.

Bill of W., B. & A. Ry. Co. attacking order of P. S. C. permitting bus company to enter non-competitive field in which railroad was furnishing adequate service was held sufficient as against demurrer. *Pub. Serv. Commn. v. Williams*, 166 Md. 278.

In a proceeding under this section, defense by demurrer, as well as by answer, is permissible. *Baldwin v. Pub. Serv. Commn.*, 160 Md. 204.

This section referred to in construing sec. 359. *Potomac Ed. Co. v. Pub. Serv. Commn.*, 165 Md. 466.

Cited but not construed in *Potomac Ed. Co. v. Pub. Serv. Commn.*, 165 Md. 460.

Complaint against *Pub. Serv. Commn.* for not applying art. 56, secs. 258, 259 and 262A, as to co-operative associations operating milk trucks over same route as complainant, was sustained. *Pub. Serv. Commn. v. Tide Water Express Lines*, *Daily Record*, May 30, 1935.

This section referred to in construing art. 56, secs. 258-266. See notes thereto. *Co-operative Co. v. Pub. Serv. Commn.*, *Daily Record*, March 7, 1935.

See notes to sec. 373.

405.

Testimony before court transmitted to Public Service Commission pursuant to provisions of this section. *Pub. Serv. Commn. v. Williams*, 167 Md. 326.

See notes to sec. 404.

406.

See notes to sec. 404.

407.

Objection that bill of complaint attacking order of P. S. C. was not filed within 60 days is not available in Court of Appeals if not raised in court below. *Purnell v. Ocean City*, 162 Md. 174.

The service of a copy of the order is not a condition precedent to the right of appeal. *Purnell v. Ocean City*, 162 Md. 175.

See notes to sec. 404.

408.

Order of commission will not be disturbed except upon clear and satisfactory evidence that it is unreasonable or unlawful; competitive territory; order upheld. This section referred to in construing sec. 404—see notes thereto. *Pub. Serv. Commn. v. Byron*, 153 Md. 471.

The fact that an order of the Commission adopted only one of the various regulations proposed by certain individuals relating to telephone directories did not entitle them to a judicial review, as the adverse conclusion of the Com-