

and lines shall agree to contract for the use of such telephone and lines for a period of not less than six months.

When the public service commission has prescribed rates in pursuance of the authority vested in it by sec. 344, *et seq.*, secs. 305 to 310 are to that extent repealed—see secs. 398 and 410. See notes to sec. 344. *Gregg v. Public Service Commission*, 121 Md. 26; *Chenoweth v. Public Service Commission*, 143 Md. 627.

For a case involving validity of municipal ordinance granting telephone company the right to use city streets provided it would furnish telephone service at certain rates; effect of acceptance of the ordinance by telephone company; the kind of telephone service required to be furnished; and remedy in case of a failure on part of telephone company to maintain prescribed rates, see *Simons Co. v. Maryland Telephone Co.*, 99 Md. 141. And see *Maryland Telephone Co. v. Simons Co.*, 103 Md. 139.

See sec. 411.

An. Code, 1924, sec. 305. 1912, sec. 369. 1904, sec. 334. 1892, ch. 387. 1896, ch. 139, sec. 232B.

306. Where any two cities, towns or villages in the State of Maryland are connected by wire, operated, managed, controlled or owned by any individual, company or corporation, the price for the use of any telephone for the purpose of conversation between such cities, towns or villages, shall, for each five minutes or fraction of five minutes of such use, not exceed the amount hereby fixed, that is to say: where the distance does not exceed ten miles, fifteen cents; where the distance is more than ten miles and not more than thirty miles, twenty-five cents; where the distance is more than thirty miles and not more than fifty miles, one cent a mile; where the distance is more than fifty miles, fifty cents; and one-half a cent for each mile in excess of fifty miles.

See sec. 411 and note to sec. 305.

An. Code, 1924, sec. 306. 1912, sec. 370. 1904, sec. 335. 1892, ch. 387, sec. 232C.

307. The word "telephone" wherever used in sections 305 to 310, shall be construed to include, and consist of a receiver, a transmitter, a magneto or call-bell, or cell battery, a backboard, a battery box and all necessary appliances now and hereafter in use for and constituting a telephone equipment as now or heretofore rented by telephone companies to their patrons and subscribers.

Definition of word "telephone" as set out in this section, has no application to cases in which parties have entered into lawful contracts in which they fix for themselves the terms of their contracts, and define what they are contracting for. *Simons Co. v. Maryland Telephone Co.*, 99 Md. 170. And see *Maryland Telephone Co. v. Simons Co.*, 103 Md. 139.

See notes to sec. 305.

An. Code, 1924, sec. 307. 1912, sec. 371. 1904, sec. 336. 1892, ch. 387, sec. 232D.

308. Every telephone company with wires wholly or partly within this State and engaged in a general telephone business shall, within the local limits of such telephone company's business, supply all applicants for telephone connections and facilities with such connections and facilities, without discrimination or partiality; provided such applicant comply or offer to comply with all reasonable regulations of the company; and no such company shall impose any conditions or restrictions upon any such applicant that are not imposed impartially upon all persons or companies in like situation, nor shall such companies discriminate against any individual or company engaged in any lawful business, or between individuals or companies engaged in the same business, by requiring, as a condition for furnishing such facilities that they shall not be used in the business of the applicant, or otherwise, for any lawful purpose.