

form a continuous line of transportation, or which could be made to do so by the construction and maintenance of switch connection, to establish through routes and joint rates, fares and charges for the transportation of passengers, freight and property within the State as the commission may by its orders designate; and in case such through routes and joint rates be not established by the common carriers named in any such order within the time specified therein, the commission shall establish just and reasonable rates, fares and charges to be charged for such through transportation and declare the portion thereof to which each common carrier affected thereby shall be entitled and the manner in which the same shall be paid and secured.

If, in the judgment of the commission, repairs or improvements to or changes in any tracks, switches, terminals or terminal facilities, stations, motive power, or any other property, construction apparatus, equipment, facilities or device used by any common carrier, railroad corporation or street railroad corporation in or in connection with the transportation of passengers, freight or property, ought reasonably to be made, or any additions should reasonably be made thereto, in order to promote the security or convenience of the public or employees, or in order to secure adequate service or facilities for the transportation of passengers, freight or property, the commission shall, after a hearing, either on its own motion or after complaint, make and serve an order directing such repairs, improvements, changes or additions to be made within a reasonable time and in a manner to be specified therein, and every common carrier, or other such corporation subject to the provisions of this sub-title, is hereby required and directed to make all repairs, improvements, changes and additions required of it by any order of the commission served upon it.

The public service commission law does not withdraw from a corporation the control of its financial policy. Commission has no jurisdiction to direct establishment of depreciation reserve and annual addition thereto. Supervision of commission over corporate accounts. Function of court in reviewing finding of commission as to reasonable rates. Burden of proof. Fair value of bridge held to be the issue, rather than original cost or cost of acquisition. Method of finding value. Rates, and allowance for maintenance, held unreasonable. *Havre de Grace Bridge Co. v. P. S. C. of Md.*, 132 Md. 26.

Limitations of power of commission to fix intrastate tariffs and rates. How reasonableness of rates is determined. Nature of commutation service. Not all discriminations are condemned by law. Rates must be reasonable, but not confiscatory; meaning of latter term. Upon a bill for injunction restraining the execution of an order of commission, the court may not determine what are reasonable rates or establish rates, but only whether rates fixed by commission are unreasonable or unlawful; rates fixed by commission *prima facie* proper. Practical experience held 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.

Rates which permit street railway to earn 6.26% on fair value of its property are not confiscatory under Federal Constitution. Meaning of "confiscation" and "fair return." Value of company's property. Automobile competition. United States cases reviewed. Allowance for depreciation. Extraordinary obsolescence. Second fare zone abolished. Commission's power legislative in character. Burden of proof. *Pub. Serv. Commn. v. United Rwys. Co.*, 155 Md. 578 (*cf.* dissenting opinion).

"Public" referred to in last paragraph of this section is whole public rather than local public. Order of P. S. C. approving relocation of railroad on condition that tracks as relocated be at point involving heavier grade, invalid. Discretion of P. S. C. must not be arbitrarily exercised. P. S. C. has only statutory powers and incidental implied powers. See notes to sec. 209. *Pub. Serv. Commn. v. P., B. & W. R. R. Co.*, 155 Md. 117.