

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.

This section referred to in construing section 405—see notes thereto. *Webster v. Susquehanna Pole Line Co.*, 112 Md. 427.

See sec. 454, and notes to sec. 368.

1904, art. 23, sec. 337. 1892, ch. 387, sec. 232 E.

372. Any owner, operator, agent or other person who shall collect or receive for the rental or use of any such telephone and line any sum in excess of the ratio fixed by sections 368 and 369 shall upon conviction be fined not less than one hundred dollars for each offense.

See note to sec. 368.

Ibid. sec. 338. 1894, ch. 207, sec. 232 F.

373. But any person, firm or corporation may contract in writing or partly in print and partly in writing, and not otherwise, with any individual, company or corporation now or hereafter owning, controlling, managing or operating any telephone line or lines within the limits of this State, for such special form, description and amount of telephone equipment and service, expressed in such contract, as such person, firm or corporation may need, at such rates, and upon such terms and conditions as may be agreed upon between the parties to such contract, and be expressed therein, but shall not otherwise be entitled thereto; and every form of such special contract, made for any year, shall constitute and be a form of contract for like special telephone equipment and service, into which every other person, firm or corporation in like situation with the person, firm or corporation so contracting and desiring a like special form, description and amount of telephone equipment and service shall have a right to enter, in such year, with the party so contracting for such telephone equipment and service; the special contract mentioned in this section shall be entered into before such equipment and service are supplied; provided, however, that nothing in this section shall be so construed as to impair the obligation of the individual, company or corporation owning, controlling, managing or operating a telephone line or telephone lines within the limits of this State to furnish, in accordance with the requirements of sections 368-372, and at the rates of charge mentioned in said sections 368 and 369, telephone equipment and service of the kind and description which is now furnished by the Chesapeake and Potomac Telephone Company of Baltimore city, at the rate of charge mentioned in said sections 368 and 369; and the said company, as a condition precedent to the exercise of any of the powers conferred by this section, shall forthwith file in the office of the clerk of the court of appeals of Maryland, to be by said clerk annexed to the original section filed in his office, a full and adequate description in detail, and certified by the governor of