

CHAPTER 607.

(Senate Bill 54)

AN ACT to repeal and re-enact, with amendments, Sections 416 and 417 of Article 23 of the Annotated Code of Maryland (1939 Edition), title "Corporations", sub-title "Public Service Commission", relating to judicial review of orders of the Public Service Commission.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Sections 416 and 417 of Article 23 of the Annotated Code of Maryland (1939 Edition), title "Corporations", sub-title "Public Service Commission", be and they are hereby repealed and re-enacted, with amendments, to read as follows:

416. If, upon the trial of such action, evidence shall be introduced by any party which is found by the court to be different from that offered upon the hearing before the Commission, or any commissioner, or additional thereto, the court, before proceeding to render judgment, unless the parties to such action stipulate in writing to the contrary, shall transmit a copy of such evidence to the Commission and shall stay further proceedings in said action until the Commission shall have reported to the court within such time as the court shall direct.

Upon the receipt of such evidence the Commission shall consider the same and may alter, modify, amend or rescind its order relating to such rate, or rates, tolls, charges, schedules, joint rate or rates, regulations, practice, act or service complained of in said action, and shall report its action thereon to said court within such time as the court shall direct.

If the Commission shall rescind its order complained of, the action shall be dismissed; if it shall alter, modify or amend the same, such altered, modified or amended order shall take the place of the original order complained of, and judgment shall be rendered thereon as though made by the Commission in the first instance.

If the original order shall not be rescinded or changed by the Commission, judgment shall be rendered upon such original order.

417. Before the trial of such action a transcript duly certified by the Secretary of the Commission of all the papers and proceedings, including evidence, in the case before the Commission except such as are omitted by the stipulation in writing of the parties to such action, shall be filed by the Commission in such action and shall be evidence in like manner as the