

election, filed with the Commission, accept the provisions of this Article and such acceptances when approved by the Commission, shall subject them to the provisions of this Article to all intents and purposes as if they had been originally included in its terms.

Any workman of the age of sixteen years and upwards may himself exercise the election hereby authorized. The right of election hereby authorized shall be exercised on behalf of any workman under the age of sixteen years by his parent or guardian. Nothing herein shall be construed to apply to workmen of less than the minimum age prescribed by law for the employment of minors in the occupation in which such workman shall be engaged.

The provisions of this Article shall apply to employers and employes engaged in intra-state and also in interstate or foreign commerce, for whom a rule of liability or method of compensation has been or may be established by the Congress of the United States, only to the extent that their mutual connection with intra-state work may and shall be clearly separable and distinguishable from interstate or foreign commerce, except that any such employer and any of his workmen only in this State may, with the approval of the Commission, and so far as not forbidden by any Act of Congress, voluntarily accept the provisions of this Article by filing written acceptances with the Commission, which shall subject the acceptors to the provisions of this Article to all intents and purposes as if they had been originally included in its terms.

A man carrying a message relating to a supply of coal for a railroad company's use is not engaged in interstate commerce, and hence is subject to workmen's compensation act. Purpose of this section. Cases reviewed. *Hines v. Baechtel*, 137 Md. 515.

See notes to sec. 14.

An. Code, sec. 34. 1914, ch. 800, sec. 33½.

**34.** Whenever there shall have been enacted by the Congress of the United States and shall be in effect any act providing an exclusive remedy and compensation to employes of common carriers by railroad while employed in interstate or foreign commerce who sustain personal injury by accident arising out of and in the course of such employment and resulting in disability, or to the dependents of such employes in case such injury results in death, it shall be lawful for any such common carrier by railroad in this State and its employes or any of them, by agreement between such employer and employes, to provide for the payment by the employer of compensation in the amounts at the times and in the manner specified in said Act of Congress to any employe who, while employed by such employer in commerce or business wholly within this State, sustains personal injury by accident arising out of and in the course of his employment and resulting in his disability, or to the dependents, as defined in said Act of Congress, of such employe in case such injury results in his death; and in and by such agreement to stipulate and agree that, except as provided therein, such employer shall not be civilly liable for any injury to or death of any such employe resulting from any such accident.