

If any such employer shall file with the Commission an instrument in writing under its corporate seal offering to enter into such an agreement with all and any of its employes in this State and referring to such Act of Congress, and shall cause notice of such offer filed to be published once each week for three successive weeks following the date of such filing in a newspaper published in each County in this State through which such employer runs regularly any freight or passenger train, and in two newspapers published in the City of Baltimore, if such employer runs regularly any freight or passenger train into or through said City, every employe of such employer shall be conclusively presumed to accept such offer of the employer and to have entered into such agreement, unless such employe shall, within thirty days after the filing of such offer by the employer, file with the Commission a notice in writing or statement declining such offer; and at the expiration of said period of thirty days the terms of said agreement shall be mutually binding upon the employer and upon every employe not so declining, but any employe or the employer may at any time by filing with the Commission not less than thirty days' notice in writing of his or its intention so to do, terminate such agreement upon his or its part as to all accidental injuries occurring after the expiration of such notice.

This section referred to in construing sec. 36—see notes thereto. *Accident Fund v. Jacobs' Admr.*, 140 Md. 624.  
See notes to sec. 33.

An. Code, sec. 35. 1914, ch. 800, sec. 34. 1922, ch. 303, sec. 35. 1924, ch. 332.

**35.** Whenever the State, county, city or any municipality shall engage in any extra hazardous work, within the meaning of this Article, whether for pecuniary gain or otherwise, in which workmen are employed for wages, this Article shall be applicable thereto. In time of peace and while engaged in military service all officers and enlisted men of the organized militia of the State of Maryland shall be deemed workmen of the State for wages within the meaning of the preceding sentence. Whenever and so long as by State Law, City Charter or Municipal Ordinance, provision equal or better than that given under the terms of this Article is made for municipal employees injured in the course of employment, such employees shall not be entitled to the benefits of this Article.

### **Claims and Compensation; Benefits.**

An. Code, sec. 36. 1914, ch. 800, sec. 35. 1916, ch. 368. 1916, ch. 597, sec. 36.  
1920, ch. 456, sec. 36.

**36.** Each employee (or in case of death his family or dependents) entitled to receive compensation under this Article shall receive the same in accordance with the following schedule and except as in this Article otherwise provided, such payment shall be in lieu of any and all rights of action whatsoever against any person whomsoever.

(1) Permanent total disability. In case of total disability, adjudged to be permanent, sixty-six and two-thirds per centum of the average weekly wages shall be paid to the employee during the continuance of such