

forfeited. When any person claiming that he has sustained injury or disability, shall accept any relief money, provided for in this Act, for and in respect of such injury or disability or shall commence any suit against the County Commissioners for such relief money, the operator in whose employ such person sustained the injury or disability shall be exempt from liability therefor, and thereafter no suit or action shall lie or be brought or maintained against such operator for or in respect of such injury or disability or death resulting therefrom. Provided, that the provisions of this section shall not apply to cases where the operator has been in default in compliance with the provisions of this Act at the time of the injury, disability or death.

1910, ch. 153, sec. 10 (p. 491).

463. If any suit or action be brought against any operator for or in respect of any injury or disability received by an employee while in discharge of his duty or for death resulting therefrom, including death from contact with mine gases, and said operator shall appear and defend such suit or action, and a judgment shall be rendered against him, he shall, after satisfying said judgment and upon filing with the County Commissioners a certified copy of said judgment and the order of satisfaction, be entitled thereafter to deduct from the payments required to be made by him hereunder to the County Treasurer, a sum equal to the amount of said judgment and costs; provided, that said operator shall have notified the County Commissioners of the pendency of said suit or action; and, provided further, that at the time of the injury, disability and death the operator has complied with the provisions of this Act.

MIDLAND.*

OFFICERS.

1902, ch. 356, sec. 184A. 1906, ch. 382, sec. 184A. 1924, ch. 144, sec. 184A.

464. The officers of said corporation shall be a Mayor, a Council composed of six members, a Clerk, a Treasurer, a Tax Collector, a Bailiff, a Board of Health of three members, who shall severally enjoy such powers and perform such duties as may be prescribed by this Act and the ordinances passed in pursuance thereof. The Mayor, the members of the Council, the Clerk and the Secretary of the Board of Health shall be elected by the voters of the said town; the Treasurer, Bailiff and the Tax

*The first sub-section of sec. 184A of ch. 356, 1902, seems to have been unintentionally repealed by ch. 382, 1906. This sub-section reads as follows: The inhabitants in the town of Midland in Allegany County are a corporation by the name of The Mayor and Council of Midland, and by that name may have perpetual succession, may sue and be sued and may have and use a common seal, which may be altered at pleasure, and may purchase and hold such real, personal or mixed property as may be required for the purposes of said corporation, and may dispose of such property, when necessary, for the benefit of said corporation, and all the property and funds of every kind belonging to said corporation are vested in the Mayor and Council of Midland.