

shall be allowed his actual and necessary traveling and incidental expenses.¹

See notes to sec. 65.

9.

This section referred to in construing sec. 56. *Dembeck v. Shipbuilding Corp.*, 166 Md. 25.

Cited but not construed in *Broniszewski v. B. & O. R. R. Co.*, 156 Md. 452.

10.

Courts will adapt themselves to increased latitude allowed commission as to procedure under this section, but preserve necessary safeguards; hearsay evidence; case for jury. *Standard Oil Co. v. Mealey*, 147 Md. 252.

In case of claim for compensation, mother of deceased employee allowed by Commission to testify as to what her son told her about the accident, held not reversible error in particular case. *Horn Ice Cream Co. v. Yost*, 164 Md. 30.

This section referred to in construing sec. 56. *Coal Co. v. Chisholm*, 163 Md. 51; *Monumental Printing Co. v. Edell*, 163 Md. 551; *Dembeck v. Shipbuilding Corp.*, 166 Md. 25.

Cited but not construed in *Broniszewski v. B. & O. R. R. Co.*, 156 Md. 452; *Ireland v. Shipley*, 165 Md. 104; *Moller Motor Car Co. v. Unger*, 166 Md. 204.

Suit—Methods of Insurance.

14.

Legislative intent to include not only all compensable injuries, but every injury suffered by worker in course and arising out of employment for which there was subsisting right of action. Phosphorus poisoning held accidental injury. Occupational disease. Suit at law not maintainable. *Victory Sparkler Co. v. Francks*, 147 Md. 376.

To first note to this section, page 3115, vol. 2, of Code, add *Mattare v. Cunningham*, 148 Md. 313.

Where salesman injured by automobile on highway after separating from credit manager whom he had accompanied to electric car, question as to whether injury occurred in course of employment and arose out of it was for jury; not necessary to submit two questions, whether injury occurred in employment and whether it arose out of it, there being single, combined issue presenting the question sufficiently. *Weston-Dodson Co. v. Carl*, 156 Md. 535.

Contractor for erection of building, with exception of electric equipment, was not statutory employer under sec. 62 of employee of contractor for electric equipment. *Long Co. v. State Accident Fund*, 156 Md. 639.

This section, together with secs. 30, 37 and other sections, indicates that employer is primarily liable for payment of compensation and payment may be enforced in case of insolvency of insurer. *Owners' Realty Co. v. Bailey*, 157 Md. 141.

Bright's disease is occupational disease and not compensable. *Gunter v. Sharp & Dohme*, 159 Md. 438.

Where person employed to clean street cars at a certain car barn was killed on the street by automobile, after working hours, as he was about to take a street car for another car barn to get his pay, which he could get at any one of four places in the city at such time as suited him, held that injury and death did not arise out of and in course of his employment within meaning of this section. *Miller v. United Rys. & Elec. Co.*, 161 Md. 406.

"Accidental", as used in this article, may mean any fortuitous, casual and unexpected happening which causes personal disability or death which results from some unknown cause, etc., and a heat stroke or heat prostration may be an accident within that definition; conditions, etc. In particular case, held that evidence justified conclusion that employee of State Roads Commission died as

¹ Sec. 3, ch. 297 of acts of 1935 repealed all laws inconsistent therewith to extent of such inconsistency.