

result of heat prostration or sunstroke arising out of and in the course of his employment. *State Roads Commission v. Reynolds*, 164 Md. 539.

On claim for death of bus driver caused by monoxide gas as result of starting motor in employer's garage with doors and windows closed, held that evidence did not clearly show driver's knowledge of rule of employer against starting motor under such circumstances, etc., as to require ruling that, as matter of law, his death resulted from "wilful misconduct" on his part. *Red Star Motor Coaches v. Chatham*, 163 Md. 413.

See notes to secs. 32, 33, 36, 62 and 65.

### 15.

Award of compensation payable in installments is continuing expense of business which must be met as they fall due and payments must be continued by receivers appointed to operate business as going concern. *Bowen v. Hockley*, 71 Fed. (2nd), 781.

See notes to secs. 14, 36 and 62.

### State Accident Fund.

### 16.

See sec. 58A.

An. Code, 1924, sec. 19. 1912, sec. 19. 1914, ch. 800, sec. 19. 1920, ch. 456, sec. 19. 1931, ch. 340. 1935, ch. 451.

19. It shall be the duty of the Commissioner<sup>1</sup> to classify any industries subject to this Article mentioned or not mentioned which are insured in the State Accident Fund. And the Commission shall have power on or before the first day of January of each year to reclassify such industries, or oftener, if, in the opinion of the Commission, the same should be deemed just and advantageous; or to create additional classifications with respect to their respective degrees of hazard and determine the risk of the different classes, and fix the rates of premium for each class, according to the risks of the same sufficiently large to guarantee a workmen's compensation fund from year to year. It shall be the duty of the Commission in determining the rates, in order to create a fund sufficiently large to guarantee a workmen's compensation fund from year to year to also reclassify from time to time the industries or occupations, in order that there may be a flexible adjustment of the rates as the hazard fluctuates, and to use all means in their power through the rate adjustment to lessen the opportunities for injuries to the workmen. The classification so determined and the rates of premium established shall be applicable for such year unless a reclassification should, in the opinion of the Commission, necessitate a change of rate within such year; and based on each one hundred dollars of the gross annual payroll of each employer in any class; provided, also, that for the purpose of this sub-title the pay of the employee partly within and partly without the State shall be deemed to be such proportion of the total pay of such employee as his service within the State bears to his services outside the State. The State Industrial Accident Commission shall have the power to apply that form of rating system in the establishment of premiums which, in its judgment, is best calculated to merit or individually rate the risk most equitably, predicated

<sup>1</sup> "Commission evidently intended.