

An. Code, 1924, sec. 35. 1914, ch. 800, sec. 34. 1922, ch. 303, sec. 35.  
1924, ch. 332. 1927, chs. 83 and 395.

**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. The officers of the Maryland State Police Force and all Guards employed by any of the penal institutions of this State shall be deemed workmen for wages within the meaning of this section. 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.

Park policeman of Baltimore City not workman within meaning of this section. *Harris v. Baltimore*, 151 Md. 16 (decided prior to act 1927, chs. 83 and 395).

This section referred to in construing act 1924, ch. 41, authorizing Baltimore to establish system of pensions, etc. *Duncan v. Graham*, 155 Md. 512.

Purpose of act 1924, ch. 332. See notes to sec. 65. *Merrill v. Military Dept.*, 152 Md. 478.

Nursing is not extra-hazardous work under the provisions of this article. *Baltimore v. Smith*, Daily Record, April 11, 1935.

1927, ch. 660.

**35A.** Whenever any prisoner in the Maryland Penitentiary or the Maryland House of Correction shall be engaged in any extra-hazardous employment within the meaning of this Article for which wages or a stipulated sum are paid either to the institution or to the prisoner, this Article shall be applicable thereto. The average weekly wages of any such prisoner shall be the average weekly wages or remuneration which the employer pays for the labor of said prisoner, whether to the institution or the prisoner, or both; and the State Industrial Accident Commission in awarding compensation in cases of injuries to prisoners in the course of their employment, shall direct that all of the compensation for which the employer of said prisoner is liable hereunder, shall be paid to the institution in which the said prisoner is confined at the time of his injury, and out of the compensation paid to any such institution under the provisions of this Article, the institution shall retain a sum equal to the average weekly amount received by said institution (if the compensation shall amount to so much) for the labor of said prisoner over and above any bonus received by or for the use of said prisoner, and the surplus of any such compensation, if any, shall be credited to and belong to the injured prisoner. The disposition of the compensation as above provided shall continue until the prisoner shall resume work or until his death or discharge from the institution. When such prisoner shall resume work any compensation to which he may still be entitled by reason of partial disability, temporary or permanent, shall be payable to the institution and first applied towards reimbursement to the institution for any loss which it may sustain in the earnings of said prisoner by reason of his injuries, and the balance, if any,