

63.

This section referred to in construing sec. 58—see notes thereto. *Clough & Molloy v. Shilling*, 149 Md. 193.

This section construed in connection with sec. 62—see notes thereto. *Core Contracting Co. v. Schaeffer*, 151 Md. 502.

This section referred to in construing sec. 56. *Monumental Printing Co. v. Edell*, 163 Md. 551; *Boteler v. Gardiner-Buick Co.*, 164 Md. 481.

This section referred to in construing sec. 36. *Victory Sparkler Co. v. Gilbert*, 160 Md. 185.

Cited but not construed in *Balto. Pub. Co. v. Hendricks*, 156 Md. 80; *Broniszewski v. B. & O. R. R. Co.*, 156 Md. 452

See notes to secs. 39 and 65.

64.

Cited in construing sec. 65. *Koester Bakery v. Ihrle*, 147 Md. 225 (decided prior to act 1927, ch. 217).

Whether car inspector, inspecting a loaded car, was engaged in interstate commerce, held for jury; burden of proving claimant was engaged in interstate commerce at time of accident is upon employer when trying to defeat claim for compensation on this ground. *Pa. R. R. Co. v. Stallings*, 165 Md. 615.

The presumption that "claim comes within the provisions" has no weight when question is one of jurisdiction, for Legislature cannot confer on a jury the power which the State does not assume. *Arundel Corp v. Ayers*, 167 Md. 576.

Cited but not construed in *Balto. Pub. Co. v. Hendricks*, 156 Md. 80.

An. Code, 1924, sec. 63. 1914, ch. 800, sec. 62. 1916, ch. 597. 1916, ch. 86.

1920, ch. 456, sec. 63. 1922, ch. 303, sec. 63. 1922, ch. 529,

sec. 63. 1924, ch. 217, sec. 65. 1933, ch. 354.

65. Definitions as used in this Article:

(1) "Extra-hazardous employment" means a work or occupation described in Section 32 of this Article.

(2) "Employer," except when otherwise expressly stated, means a person, partnership, association, corporation, and the legal representatives of a deceased employer, or the receiver or trustee of a person, partnership, association or corporation employing workmen in extra-hazardous employments.

(3) "Employee" means a person who is engaged in an extra-hazardous employment in the service of an employer, carrying on or conducting the same upon the premises or at a plant, or in the course of his employment away from the plant of his employer, and shall not include farm laborers. "Farm laborers," as used in this Article, shall mean any employees who, at the time of the accident, are engaged in rendering any agricultural service, including the threshing or harvesting of crops, or who, at the time of the accident, are engaged in service incidental to and in connection with agricultural pursuits or developments, whether the employer be the farmer or other person undertaking or contracting with the farmer to perform any such agricultural service, pursuit or development. This Article shall not apply to cutters of cord wood or fire wood, farm laborers, domestic servants, nor to country blacksmiths, wheelwrights or similar rural employments, unless these employments elect to come under this Article as provided in Section 33, nor in any case where the accident occurred before this Act takes effect, nor to casual employees or any employees who are