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| <p>75. Copy of docket entries and judgment to be sent commission.</p> <p>76. Employers and employees adjudged outside scope of this article; validity of article not in other respects impaired; such employer to be accounted with for moneys received.</p> <p>77. Employees of sub-contractor may pro-</p> | <p>ceed hereunder against principal contractor; sub-contractor liable to principal contractor.</p> <p>78. This article, how construed.</p> <p>79. Presumptions in absence of evidence to contrary.</p> <p>80. Definitions; to whom article not applicable.</p> |
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State Industrial Accident Commission.

An. Code, 1924, sec. 1. 1912, sec. 1. 1914, ch. 800, sec. 1. 1935, ch. 264.

1. Effective as of April 16, 1935, a Commission is hereby created which shall be known as the State Industrial Accident Commission, to be composed of five Commissioners, (not more than three of whom shall belong to the same political party) two of whom shall be the two Commissioners then in office whose terms expire on April 16, 1937, and April 16, 1939, respectively, and the other three Commissioners shall be appointed by the Governor immediately upon the taking effect of this Act. One of them shall hold office for a term of one year beginning April 16, 1935, another shall hold office for a term of three years beginning April 16, 1935, and another shall hold office for a term of five years beginning April 16, 1935. Upon the expiration of the term of each Commissioner, his successor shall be appointed by the Governor for a term of five years. Each Commissioner shall devote his entire time to the duties of the office, and shall not hold any position of trust or engage in any occupation or business interfering or inconsistent with his duties as such Commissioner, or serve on or under any committee of a political party. Each Commissioner shall hold office until his successor shall be appointed and shall have qualified. Vacancies shall be filled by the Governor for the unexpired term. A decision on any question arising under this Article concurred in by three of the Commissioners shall be the decision of the Commission. The Governor may at any time remove any Commissioner from office for inefficiency, neglect of duty or malfeasance in office. Before such removal he shall give such Commissioner a copy of the charges against him and shall fix a time when he can be heard in his own defense, either in person, or by counsel, which shall not be less than ten days thereafter, and such hearing shall be open to the public. The Governor shall designate a member of said Commission as Chairman thereof. The principal office of the Commission shall be in the City of Baltimore, but branch offices may be established at other places in the State for the purpose of administering this Article.¹

Person engaged by Supervisors of Elections to set up and take down booths at polling places held to be independent contractor and not covered by statute. *Election Supervisors v. Balsler*, 172 Md. 189.

Argued that in light of *Washington v. Dawson*, 264 U. S. 219, 68 L. Ed. 646, art. 101 is not applicable to accidents to stevedores upon navigable waters. Validity of release, *Federal Employers' Liability Act. The Henry S. Grove*, 22 F. (2nd), (Dist. Ct. Md.), 445.

Cited but not construed in *State v. Potomac Edison Co.*, 166 Md. 140; *Heil v. Linck*, 170 Md. 641.

See notes to secs. 14 and 80.

The workmen's compensation act is not in violation of either the Federal or Md. Constitution. Scheme of the act. The phrase "the law of the land" in Md. Constitution means same as "due process of law" in Federal Constitution. *New York Central*

¹ This section amended by Ch. 732 of the Acts of 1939 but see footnote at beginning of this Article.