

if such action is reasonably necessary to secure and safeguard such payments to employees or for the diminishing and prevention of accidents. Any action of the Commission for the purpose of diminishing or preventing accidents shall not apply to public service corporations under the jurisdiction of the Public Service Commission. Any decision of said Commission under this Section or Section 14 of this Article may be reviewed by writ of *certiorari* in the Circuit Court for the county in which the employer may reside or in any of the Common Law Courts of Baltimore City, if the employer resides in Baltimore City.

Any employer, subject to the provisions of this Article, who fails or refuses to insure voluntarily the payment of the compensation specified in this Article to his employees and their dependents through one of the methods of assurance of payment, mentioned in the second paragraph of this section of this Article, or fails to furnish satisfactory proof to the Commission of his financial ability to pay such compensation himself, or give bond or deposit securities as aforesaid, shall at any time after November 1st, nineteen hundred and fourteen, be compelled by the Commission to insure to his employees and their dependents the payment of the compensation specified in this Article, by paying to the State Treasurer for the use and benefit of the State Accident Fund, hereinafter authorized to be established, the premium or taxes levied and published by the Commission for the group of employments, industries or works to which said employer belongs. And any such employer who fails or refuses to so insure within ten days, after being ordered by the Commission to do so, shall be liable to the State in an amount equal to the premium or taxes required of him for six months' insurance in the State Accident Fund, as a penalty, which, together with his premium or tax due the State Accident Fund for the first six months, may be collected by the Commission in the same manner and with the same effect as provided in Section 22 of this Article for the collection of premiums or taxes in default.

In exercising the discretion conferred upon it by this section and Section 14 of this Article, the State Industrial Accident Commission shall consider the reputation of any insurance company or association, in which any such employer may desire to insure, for promptness and fairness in the settlement of compensation claims, without unreasonable resistance on the part of any such insurance company or association, and shall also consider the financial strength of the employer, the number of employees employed, the degree of hazard to employees engaged in the employment, the likelihood or danger of several employees being injured or killed by one and the same accident, the relative influence, the different methods, by which compensation may be assured under this Article, are likely to exert upon the employer and his employees for the prevention of accidents, and any other facts or conditions bearing upon the security and promptness of payment of the compensation and the prevention of accidents.

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, 48 and 77.

Where superior court of Baltimore city confirms an award made by the industrial accident, commission against a surety company for injuries to employee while engaged in work which (as between surety and the principal) was not covered by terms of the policy, surety may recover payments on account of the award from principal. *Prayers. Pleas. U. S. F. & G. Co. v. Taylor*, 132 Md. 514.

This section referred to in upholding constitutionality of workmen's compensation law—see notes to sec. 14. *Solvuca v. Ryan & Reilly Co.*, 131 Md. 281.