

An. Code, 1924, sec. 33. 1914, ch. 800, sec. 33. 1927, ch. 656.

44. Any employer, his employee or employees engaged in works not extra-hazardous within the meaning of this Article may, by their joint election, filed with the Commission, accept the provisions of this Article and such acceptances when approved by the Commission, shall subject them to the provisions of this Article to all intents and purposes as if they had been originally included in its terms.

Any workman of the age of sixteen years and upwards may himself exercise the election hereby authorized. The right of election hereby authorized shall be exercised on behalf of any workman under the age of sixteen years by his parent or guardian.

The provisions of this Article shall apply to employers and employees engaged in intra-state and also in interstate or foreign commerce, for whom a rule of liability or method of compensation has been or may be established by the Congress of the United States, only to the extent that their mutual connection with intra-state work may and shall be clearly separable and distinguishable from interstate or foreign commerce, except that any such employer and any of his workmen only in this State may, with the approval of the Commission, and so far as not forbidden by any Act of Congress, voluntarily accept the provisions of this Article by filing written acceptance with the Commission, which shall subject the acceptors to the provisions of this Article to all intents and purposes as if they had been originally included in its terms.

The securing by dairymen of compensation insurance covering his employees did not subject such employees to Compensation Law; procedure for this purpose specified in this section. *Keeney v. Beasman*, 169 Md. 582.

A man carrying a message relating to a supply of coal for a railroad company's use is not engaged in interstate commerce, and hence is subject to workmen's compensation act. Purpose of this section. Cases reviewed. *Hines v. Baechtel*, 137 Md. 515.

Workmen's Compensation Law does not apply to minors employed in violation of Child Labor Law. See art. 100, secs. 4, 10. Suit at law; demurrer; prayers. *Tilghman v. Conway*, 150 Md. 530 (decided prior to act 1927, ch. 536—see sec. 60).
See notes to sec. 14.

An. Code, 1924, sec. 34. 1912, sec. 34. 1914, ch. 800, sec. 33½.

45. Whenever there shall have been enacted by the Congress of the United States and shall be in effect any act providing an exclusive remedy and compensation to employees of common carriers by railroad while employed in interstate or foreign commerce who sustain personal injury by accident arising out of and in the course of such employment and resulting in disability, or to the dependents of such employees in case such injury results in death, it shall be lawful for any such common carrier by railroad in this State and its employees or any of them, by agreement between such employer and employees, to provide for the payment by the employer of compensation in the amounts at the times and in the manner specified in said Act of Congress to any employee who, while employed by such employer in commerce or business wholly within this State, sustains personal injury by accident arising out of and in the course of his employment and resulting in his disability, or to the dependents, as defined in said Act of Congress, of such employee in case such injury results in his death; and in and by such agreement to stipulate and agree that, except as provided therein, such employer shall not be civilly liable for any injury to or death of any such employee resulting from any such accident.

If any such employer shall file with the Commission an instrument in writing under its corporate seal offering to enter into such an agreement