

**Course of employment.**

Where an injury is alleged to have been caused from sting of insect, it is for jury to say whether it arose out of, and in course of, employment. Function of court sitting as a jury. Prayers. See notes to sec. 70. *Coastwise Shipbuilding Co. v. Tolson*, 132 Md. 205. See also *Jewel Tea Co. v. Weber*, 132 Md. 178; *Bell v. Steen*, 137 Md. 392.

Under paragraph 6 of this section and under sec. 33, a claimant is entitled to recover if accidentally injured in course of free transportation to or from his work. The question of whether an injury arises in course of employment is ordinarily a mixed question of law and fact; when question becomes one of law. Construction of English act followed. *Harrison v. Central Cons. Co.*, 135 Md. 176 (decided prior to act 1920, ch. 456). And see *Central Cons. Co. v. Harrison*, 137 Md. 258.

Where the deceased was at time he was injured taking home a bandmaster employed by former's employer to train a band organized by its employees, it was a question for jury as to whether his injury occurred in course of, and arose out of, his employment, within meaning of paragraph 6 of this section. Burden of proof. Prayers. *Thistle Mills v. Sparks*, 137 Md. 117.

An injury arises in course of employment under paragraph 6 of this section, although it occurs while employee is leaving a shop by another route than a boardwalk, which latter employees were not required to use. *Baltimore Car Foundry Co. v. Ruzicka*, 132 Md. 495.

Case involving whether an aneurism resulted from a blow received in course of employment. Burden of proof. Evidence. Prayers. *Stewart & Co. v. Howell*, 136 Md. 423. See notes to sec. 14.

**Generally.**

Question whether injury arose in course of the employment and whether employment was extra-hazardous held for jury; burden of proof. See notes to sec. 70. *Beasman v. Butler*, 133 Md. 386.

A man employed early in canning season to do hauling for employer whenever he might be needed is not a casual employee. How this question is determined. Cases reviewed. *State Accident Fund v. Jacobs*, 134 Md. 134 (decided in 1919).

This section compared with art. 93, sec. 141, art. 46, sec. 26 of An. Code, 1912 (as it stood prior to act of 1916, ch. 325), and with art. 16, sec. 81. An illegitimate child not entitled to workmen's compensation benefits. *Scott v. Independent Ice Co.*, 135 Md. 349 (decided prior to the act of 1920, ch. 456).

This section referred to in construing secs. 48 and 66—see notes thereto. *Adleman v. Ocean Accident & G. Cor.*, 130 Md. 576; *Accident Fund v. Jacobs' Admr.*, 140 Md. 624. See notes to sec. 70.