

sation of hostilities, or while *the individual is in a combat area or zone.*

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1962.

Approved March 23, 1962.

CHAPTER 40

(Senate Bill 80)

AN ACT to repeal and re-enact, with amendments, Section 56 (a) of Article 101 of the Annotated Code of Maryland (1961 Supplement), title "Workmen's Compensation", sub-title "Appeals", to change certain language in the provisions regarding appeals from workmen's compensation awards.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 56 (a) of Article 101 of the Annotated Code of Maryland (1961 Supplement), title "Workmen's Compensation", sub-title "Appeals", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

56. (a) Any employer, employee, beneficiary or person feeling aggrieved by any decision of the Commission affecting his interests under this article, may have the same reviewed by a proceeding in the nature of an appeal and initiated in the circuit court of the county or in the common law courts of Baltimore City having jurisdiction over the place where the accident occurred or over the person appealing from such decision, and the court shall determine whether the Commission has justly considered all the facts concerning the injury, whether it has exceeded the powers granted it by the article, and whether it has misconstrued the law and facts applicable in the case decided. In the event that an appeal shall be taken to a court other than the circuit court of the county or to a common law court of Baltimore City having jurisdiction over the place where the accident occurred or over the person appealing from such decision, the court shall on motion of either party transfer such appeal to the proper tribunal, so that the said appeal may be heard on its merits in the court having jurisdiction to hear the same. If the court shall determine that the Commission has acted within its powers and has correctly construed the law and facts, the decision of the Commission shall be confirmed; otherwise it shall be reversed or modified. Upon the hearing of such an appeal the court shall, upon motion of either party filed with the clerk of the court according to the practice in civil cases, submit to a jury any question of fact involved in such case provided, however, that in all appeals in which occupational diseases are involved, the findings of fact by the Com-

EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

~~Strike out~~ indicates matter stricken out of bill.