

**EMPLOYERS' LIABILITY,
WORKMEN'S
COMPENSATION AND
LIABILITY INSURANCE**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649573356

Employers' Liability, Workmen's Compensation and Liability Insurance by Jeremiah F. Connor

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JEREMIAH F. CONNOR

**EMPLOYERS' LIABILITY,
WORKMEN'S
COMPENSATION AND
LIABILITY INSURANCE**

EMPLOYERS' LIABILITY
WORKMEN'S COMPENSATION
AND
LIABILITY INSURANCE

THE DISTINCTION BETWEEN THE
LIABILITY TO PAY COMPENSATION AND
THE LIABILITY FOR DAMAGES FOR IN-
JURIES WHICH ARE NOT WITHIN THE
COMPENSATION ACT OF NEW YORK STATE

STATE COMPENSATION INSURANCE COMPARED
WITH LIABILITY INSURANCE BY STOCK
COMPANIES AND MUTUAL ASSOCIATIONS

The Workmen's Compensation Law, Annotated

By

Jeremiah F. Connor

Formerly Counsel to the State Workmen's Compensation
Commission and the State Industrial Com-
mission of the State of New York

PRICE \$5.00

UNIVERSITY OF
CALIFORNIA

THE SPECTATOR COMPANY

CHICAGO OFFICE:
INSURANCE EXCHANGE.

135 WILLIAM STREET,
NEW YORK.

HD7816
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TO VIEW
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INTRODUCTION.

The Workmen's Compensation Law of the State of New York (Chapter 67 of the Consolidated Laws, as enacted by Chapter 816 of the Laws of 1918 and re-enacted by Chapter 41 of the Laws of 1914, with amendments) made a radical change in relation to the liability of employers for damages because of accidental injuries. The result has led to much confusion between injuries which are compensatable and injuries which may be made the basis of damage suits.

Part I of this work is intended to relieve this confusion. The compensation act is explained and cases of dual liability and optional remedies, as well as cases which are not covered in any manner by the compensation law, are classified and supplemented by such annotations of authorities as are available.

Part II is devoted to the subject of compensation and liability insurance. Here again confusion exists more particularly in relation to state insurance covering the payment of compensation. Nothing has been attempted in this connection except to show the nature of this and other forms of insurance, to explain the so-called immunity claimed on behalf of State Fund insurance, and to point out that the State Insurance Fund is created for the purpose of insuring employers against the payment of compensation, and under its contract or insurance policy, only insures against compensation liability.

Part III contains the workmen's compensation law as amended, including the amendments made by the Legislature of 1916. It is annotated with all decisions of the Courts under the New York act and with decisions of the Workmen's Compensation Commission and its successor, the State Industrial Commission. The appendix contains the Employers' Liability Act of New York State, the elective compensation law, and the provisions of the State constitution affecting the liability of

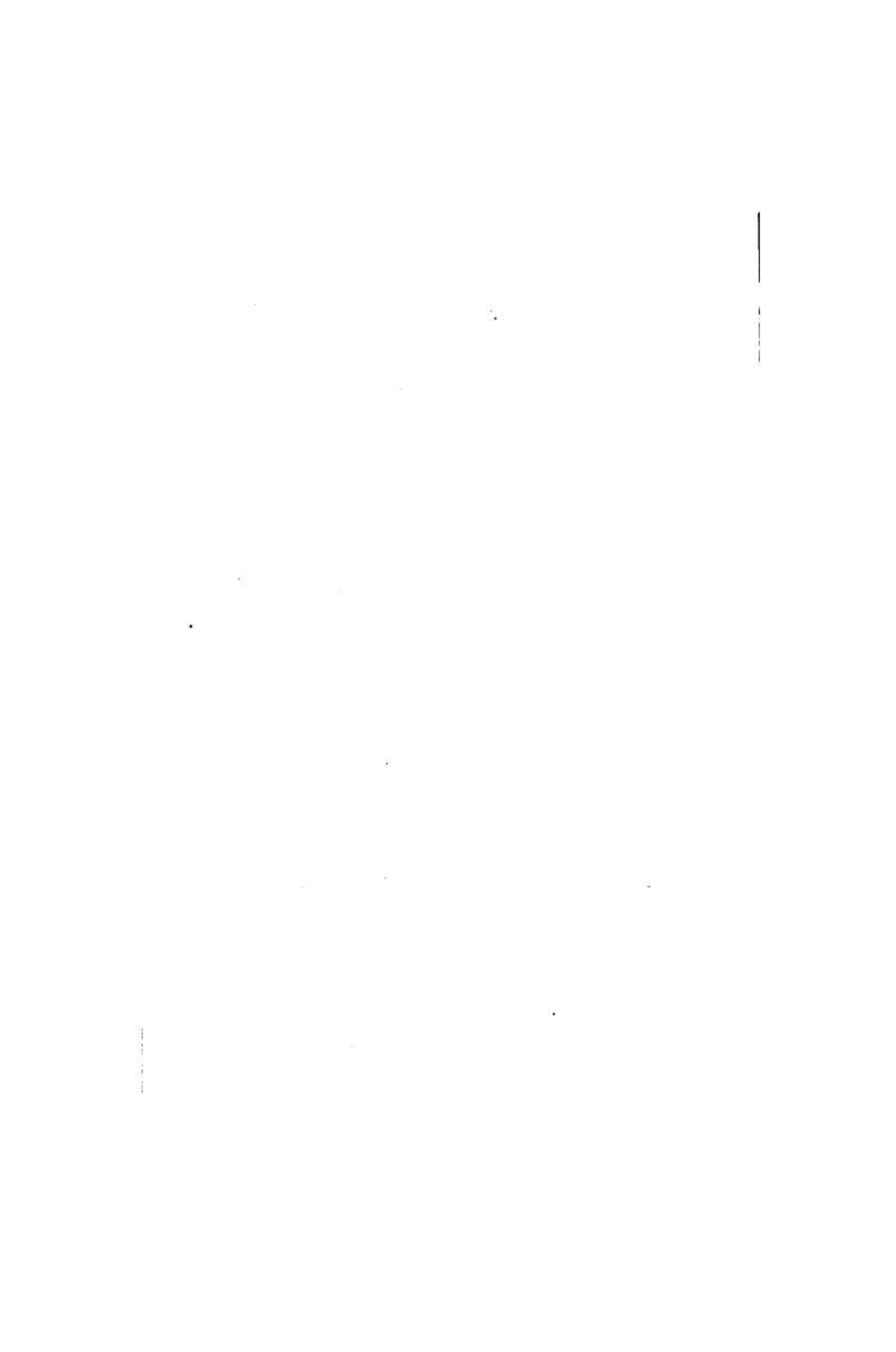


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**TABLE OF CASES PENDING IN UNITED
STATES SUPREME COURT.**

The following cases arising under the Workmen's Compensation Law of the State of New York are pending in the United States Supreme Court. The cases had been argued but had not been decided at the time this work went to press. They involve the constitutionality of the law generally and its application to interstate commerce, including railroad employees and employees of vessels:

JENSEN VS. SOUTHERN PACIFIC CO., 215 N. Y. 514.

WALKER VS. CLYDE S. S. CO., 215 N. Y. 529.

**WINFIELD VS. NEW YORK CENTRAL & HUDSON R. R. CO., 168
APP. DIV. 851; 158 N. Y. SUPP. 499; 216 N. Y. 284.**

**WHITE VS. NEW YORK CENTRAL & HUD. R. R. CO., 216 N. Y.
MEMO. 658.**