

previously compensated for under this Act by lump payment or completed periodical payments shall not be computed as a part of the time limited by law for the commencement of any action relating to such injury or death. Provided, that such action be commenced within one year after such repeal or adjudication, but in any such action any sum paid to the employee on account of injury for which the action is prosecuted, shall be taken into account or disposed of as follows: If the defendant employer shall have insured himself as provided for in this Act without delinquency, such sums as may have been paid to the employee or his dependents on account of injury or death, shall be credited upon recovery as payment thereon.

SEC. 59. If any employer shall be adjudicated to be outside the lawful scope of this Act, the Act shall not apply to him or his employees; if any employee shall be adjudicated to be outside the lawful scope of this Act, because of remoteness of his work from the hazard of his employer's work, any such adjudication shall not impair the validity of this Act in other respects, and in every such case an accounting in accordance with the justice of the case shall be had of moneys received.

SEC. 60. The rule that statutes in derogation of the common law are to be strictly construed shall have no application to this Act; but this Act shall be so interpreted and construed as to effectuate its general purpose.

SEC. 61. In any proceeding for the enforcement of a claim for compensation under this Act, it shall be presumed in the absence of substantial evidence to the contrary:

(a) That the claim comes within the provisions of this Act.

(b) That sufficient notice thereof was given.

(c) That the injury was not occasioned by the wilful intention of the injured employee to bring about the injury or death of himself or of another.

(d) That the injury did not result solely from the intoxication of the injured employee while on duty.

SEC. 62. Definitions as used in this Act:

1. "Extra-hazardous employment" means a work or occupation described in Section 32 of this Act.

2. "Employer," except when otherwise expressly stated, means a person, partnership, association, corporation, and the legal representatives of a deceased employer, or the receiver or