

the employer to furnish the same, and the employer shall have refused or neglected to do so. All fees and other charges for such treatment and services shall be subject to regulations by the commission, and shall be limited to such charges as prevail in the same community for similar treatment of injured persons of a like standard of living, and in case death ensues from the injury within two years, reasonable funeral expenses shall be allowed not to exceed the sum of seventy-five dollars (\$75). Provided, however, that if there are no dependents and the deceased employee leaves sufficient estate to pay same, all expenses of last sickness and burial shall be paid by said estate and not by the employer or insurance company or Commission out of the State Accident Fund, as the case may be. The Commission shall have full power to adopt rules and regulations with respect to furnishing medical, nurse, hospital services and medicine to injured employes entitled thereto and for the payment therefor.

1914, ch. 800, sec. 37.

**38.** Notice of an injury for which compensation is payable under this article shall be given to the employer within ten days after the accident, and also in case of the death of the employe resulting from such injury, within thirty days after such death. Such notice may be in writing, and contain the name and address of the employe, and state in ordinary language the time, place, nature and cause of the injury, and be signed by him or by a person on his behalf, or in case of death, by any one or more of his dependents, or by a person on their behalf. The failure to give such notice, unless excused by the Commission either on the ground that notice for some sufficient reason could not have been given, or on the ground that the State Accident Fund, insurance company, or employer, as the case may be, has not been prejudiced thereby, shall be a bar to any claim under this article.

Whenever an accident occurs to any employe it shall be the duty of the employer to at once report such accident and the injury resulting therefrom to the Commission, and also to any local representative of the Commission. Such report shall state (a) the time, cause and nature of the accident and injuries, and the probable duration of the injury resulting therefrom; (b) whether the accident arose out of or in the course of the injured person's employment; (c) any other matters the rules and regulations of the Commission may prescribe.

1914, ch. 800, sec. 38.

**39.** Where an employe is entitled to compensation under this article he shall file with the Commission his application within thirty days together with the certificate of the physician, if any, who attended him.

Where death results from injury the parties entitled to compensation under this article or someone in their behalf, shall make application for the same to the Commission, which application must be accompanied with proof of death and proof of relationship showing the par-