

Fact showing that unmarried sister was wholly dependent on brother was held sufficient to entitle her to damages for death of brother. *Mech v. Storrs*, Daily Record, June 28, 1935.

See notes to secs. 14, 35 and 65.

37.

This section referred to in construing sec. 58—see notes thereto. *Clough & Molloy v. Shilling*, 149 Md. 194; *Sudbrook v. State*, 153 Md. 195.

This section referred to in construing secs. 14, 30, *et seq.* *Owners' Realty Co. v. Bailey*, 157 Md. 143.

See notes to sec. 38.

An. Code, 1924, sec. 38. 1912, sec. 38. 1914, ch. 800, sec. 37. 1935, ch. 475.

38. Notice, in writing or otherwise, 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 employee resulting from such injury, within thirty days after such death. Such notice if in writing, shall contain the name and address of the employee, 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, provided, however, that the burden of proving that it or he has been prejudiced by such failure on the part of the employee or by delay in giving such notice shall be upon the State Accident Fund, Insurance Company, or employer, as the case may be.

Whenever an accident occurs to any employee 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.

Failure to notify employer and commission, as provided in this section, may be excused in discretion of commission. *Victory Sparkler Co. v. Francks*, 147 Md. 381.

This section referred to in construing secs. 14, 30, *et seq.* *Owners' Realty Co. v. Bailey*, 157 Md. 143.

This section construed in connection with sec. 56. *Shipbuilding Co. v. Praiewski*, 156 Md. 414.

This section referred to in construing sec. 39. *Broniszewski v. B. & O. R. R. Co.*, 156 Md. 456.

Cited but not construed in *Celanese Corp. v. Lease*, 162 Md. 589.

An. Code, 1924, sec. 39. 1912, sec. 39. 1914, ch. 800, sec. 38. 1916, ch. 597, sec. 39. 1920, ch. 456, sec. 39. 1931, ch. 339. 1935, ch. 237.

39. When an employee is entitled to compensation under this Article, he shall file with the Commission his application and the report of the