

time of injury, and shall award compensation in such proportion as the determined loss bears to compensation allowable for permanent total disability, the said compensation to be paid weekly at the rate of sixty-six and two-thirds per centum of the average weekly wages, in no case to exceed twenty dollars per week, and not less than a minimum of ten dollars per week unless the employee's established weekly wages are less than ten dollars per week at the time of the injury, in which event he shall receive compensation equal to his full wages, but not to exceed \$5,000.00, and subject to reconsideration of the degree of such impairment by the Commission on its own motion or upon application of any party in interest.

The compensation for the foregoing specific injuries, payable under sub-sections (3) and (4), shall be paid in addition to, and consecutively with, the compensation hereinbefore provided in Sub-section 2 of this section.

If any employee dies from any cause or causes not compensable under this Article, the right to any compensation payable under Sub-sections (3), (4) and (5) unpaid at the date of his death, shall survive to his surviving dependents as the Commission may determine, if there be such surviving dependents, and if there be none such, then to his wife and children under twenty-one years of age if there was, at the time of his death, a legal obligation on the part of said employee to support his wife, and if there was no such obligation, then to his children under twenty-one, if any, alone.

(5) In all claims for compensation for hernia, compensation may be allowed only upon definite proof to the satisfaction of the Commission.

First. That there was an accidental injury causing hernia, arising out of and in the course of the employee's employment; or that the claimant sustained a hernia resulting from a strain arising out of and in the course of his or her employment.

Second. That the hernia did not exist prior to the injury or strain for which compensation is claimed; provided that if as the result of an accidental injury, or as the result of a strain, arising out of and in the course of the employee's employment a pre-existing hernia becomes so strangulated that an immediate operation is necessary, the provision of this sub-paragraph requiring proof that hernia did not exist prior to the injury for which compensation is claimed shall not apply.