

dental injury, is due in part to such injury, and in part to a pre-existing disease or infirmity, the Commission shall determine the proportion of such disability which is reasonably attributable to the injury and the proportion thereof which is reasonably attributable to the pre-existing disease or infirmity, and such employee shall be entitled to compensation for that proportion of his disability which is reasonably attributable solely to the accident and shall not be entitled to compensation for that proportion of his disability which is reasonably attributable to the pre-existing disease or infirmity.

(7) (Dependents.) In case the injury causes death within the period of three years the benefits shall be in the amounts and to the persons following:

If there be no dependents, the disbursements shall be limited to the expense provided for in Section 36 hereof.

If there are wholly dependent persons at the time of death, the payment shall be sixty-six and two-thirds per centum of the average weekly wages, not to exceed, however, a maximum of Twenty dollars per week, and not less than a minimum of ten (\$10) dollars per week unless the deceased employee's established weekly wages were less than ten dollars per week at the time of injury, in which event the compensation shall be an amount equal to the average weekly wages, and to continue for the remainder of the period between the date of death and no more than five hundred weeks after the date of injury and not to amount to more than a maximum of Seventy-five Hundred (\$7,500.00) Dollars nor less than a minimum of One Thousand (\$1,000.00) Dollars.

If there are no wholly dependent persons at the time of the death, but are partly dependent persons, those partly dependent shall receive compensation as follows: The weekly payments to such dependents shall be in amount not exceeding sixty-six and two-thirds per centum of the average weekly wages or twenty (\$20.00) dollars per week, but may, in the discretion of the Commission, be for a less amount per week and to continue for all or such portion of the period of 416 weeks, after the date of the injury, as the Commission in each case may determine, and not to amount to more than a maximum of three thousand dollars.

In all cases, questions of dependency, in whole, or in part, shall be determined by the Commission in accordance with the facts in each particular case existent at the time of the injury resulting in death of such employee.