

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-five dollars per week, and not less than a minimum of [twelve] *fifteen* dollars per week unless the deceased employee's established weekly wages were less than [twelve] *fifteen* 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 no more than five hundred weeks after the date of death and not to amount to more than a maximum of [Seventy-five Hundred (\$7,500.00)] *ten thousand (\$10,000.00)* dollars nor less than a minimum of [One Thousand (\$1,000.00)] *two thousand (\$2,000.00)* dollars.

[(c)] (b) If there are no wholly dependent persons at the time of the death, but *there* 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)] *twenty-five (\$25.00)* dollars per week, but may, in the discretion of the Commission, be for less amount per week and to continue for all or such portion of the period of 416 weeks, after the date of death, as the Commission in each case may determine, and not to amount to more than a maximum of three thousand dollars.

(c) If there are wholly dependent persons and partly dependent persons, the Commission may, in its discretion, award compensation to the wholly dependent persons only, or it may apportion such compensation among such wholly dependent and partly dependent persons in such proportions as, in the discretion of the Commission, it may consider fair and equitable under all of the facts and circumstances of the case, in no event, however, shall the total of such compensation exceed the sum of ten thousand (\$10,000.00) dollars.

(d) 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.

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

[(e)] (f) The right to any compensation payable to any dependent and unpaid at the date of death of any such dependent shall survive to and be vested in the surviving dependents as the Commission may determine, if there be