

reference to permanent partial disability or permanent total or temporary total disability as the case may be.

(c) In case the injured employee refuses to undergo an operation for the cure of the said hernia, he shall be allowed compensation for a period of seven and one-half (7 1/2) weeks, and if it be shown to the satisfaction of the Commission that because of age or previous physical condition, it is considered unsafe for the employee to undergo such operation, such refusal may be excused by the Commission, in which event the employee shall be allowed compensation for the period of fifty-two (52) weeks, and in either event such payments shall be in lieu of all benefits for or on account of disability or death resulting or alleged to have resulted from such injury.

(6) In case of temporary partial disability, an injured employee shall receive fifty per centum of the difference between his average weekly wages and his wage-earning capacity thereafter in the same employment or otherwise if less than before the accident, but not to exceed forty dollars per week, during the continuance of such partial disability, but not in excess of four thousand dollars, except as otherwise provided in this article.

(7) Whenever it shall appear that any permanent disability from which an employee is suffering following an accidental 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. This subsection shall not apply to temporary total and temporary partial disability. This subsection shall not apply where the combined effects resulting from a previous impairment, as defined in § 66 (1), and a subsequent accidental injury result in a permanent disability exceeding fifty per centum (50%) of the body as a whole.

(8) (a) In case the injury causes death within the period of seven years from the date of the accident the benefits shall be in the amounts and to the persons following: 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 of the