

superintendent and of the mine inspector that the injury was received by the employee in the discharge of his duty and the certificate of a reputable physician setting forth the injury in detail, and, in the case of continuing disability, an additional certificate, monthly, of such physician certifying as to the period that the employee has been unable to resume his duties as a direct result of the injury, and, in the case of death, an additional certificate of such physician that death has result from said injury. If the County Commissioners shall fail or refuse to direct the Treasurer to pay or the Treasurer shall fail or refuse to pay unto any employee or personal representative of a deceased employee the relief money provided under this Article, suit may be brought by him, and in such suit the County Commissioners of the proper county shall be made defendant and shall defend such suit as other cases and have power to compromise the same in the exercise of a just discretion, and if not compromised, the court shall determine whether such relief money ought to be payable under this Article, but any judgment rendered in such cases shall only be payable out of the Relief Fund, provided that any such suit shall be brought by the employee within twelve (12) months from the date of the injury and by the personal representative within six (6) months from the date of the death of the deceased employee, and failure to commence such suits within said periods shall forfeit all right or claim of said parties to any payments out of said Fund.]

[66-11.

- A. Determination of dependents; manner of payment. Upon application by a personal representative for the relief money contemplated by the Article for the sustenance of the indigent dependent or dependents of a deceased employee, the County Commissioners shall determine who the dependents are and the relative claims and necessities of each for shares of the relief money payable and whether the age, habits and prudence of such dependents, if any, are such as to render them fit persons to receive the principal of such relief money as may be apportioned by the County Commissioners to any dependent, and, if not, then the County Commissioners may order such relief money paid in limited parts, periodically, until the portion and interest thereon of such dependent shall become exhausted. In the case of the dependents consisting of a mother and infant children, said Commissioners may, after adequate investigation, if they shall deem it of advantage to the dependents, order not more than seven hundred and fifty dollars (\$750.) of such relief money invested in a home for such dependents, the title to be in fee and to be invested in the personal representatives as trustee for the benefit of such dependents, and after such dependents shall arrive at the age of twenty-one (21) years or marry, then for the benefit of the mother exclusively. Such Commissioners may pass such orders in relation to the sale, lease or mortgage of said home as may from time to time become expedient, with a view to effectuating the relief hereby intended for indigent dependents and to prevent dependents from suffering and want.