

is bankrupt, or where a receiver or trustee is acting under the direction of the court. Payment or tender by check drawn on a bank situated in the county where a laborer is employed shall be a sufficient payment or tender to comply with the provisions of this act.

Sec. 5. Costs to be paid by defendant.—In any action by any such employe as is described in this act, for the recovery of unpaid wages after the time when such wages shall have become due, as herein provided, there shall be allowed to the plaintiff, and included in any judgment rendered in his favor, in addition to his disbursement allowed by law, if the judgment be recovered in a justice court, five dollars cost, and a like sum if the judgment be recovered in municipal court and such plaintiff shall be allowed double statutory costs in any such action in any court in which statutory costs are now allowed by law in ordinary actions.

Sec. 6. Inconsistent acts repealed.—All acts, or parts of acts, inconsistent with this act, are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its passage.

Approved April 4, 1919.

CHAPTER 176—H. F. No. 207.

An act to amend Subsection "G" of Section 8230, General Statutes 1913, relating to the compensation of injured employes and defining the terms employe and workman and excepting therefrom employes of cities governed by home rule charters, who are compensated under the terms of said charters.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Employes of cities operating under home rule charter excepted from provisions of section 8230, G. S. 1913.—That subsection "G" of section 8230, General Statutes 1913, be, and the same is hereby amended so as to read as follows: (g) The terms "employe" and "workman" are used interchangeably and have the same meaning throughout this act and shall be construed to mean:

(1) Every person in the service of a county, city, town, village, or school district therein, under any appointment or contract of hire, express or implied, oral or written; but shall not include any official of any county, city, town, village, or school district therein, who shall have been elected or appointed for a regular term of office, or to complete the unexpired portion of any regular term, *nor shall it include any employe of a city operating under a home rule charter for whom a mode and manner of compensation is provided in said charter which is different from that provided by chapter 467, Laws of 1913, as amended.*

(2) Every person not included in section 8, in the service of another under any contract of hire, express or implied,

oral or written, including aliens and also including minors who are legally permitted to work under the laws of the state, who for the purpose of making election of remedy under this act shall be construed the same, and have the same power of contracting and electing as adult employees.

Approved April 4, 1919.

CHAPTER 177—H. F. No. 226.

An act to amend Section 7522 of the General Statutes 1913, relating to the time when pleadings in justices' courts shall take place.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Pleadings in justice's courts.**—That section 7522 of the General Statutes 1913, be and the same is hereby amended so as to read as follows:

Section 7522. The pleadings in justices' courts shall take place at the time mentioned in the summons for the appearance of the parties or at such time thereafter, not exceeding one week, as the justice may appoint for the convenience of the parties and by their consent. *Unless the defendant at the time the summons is returnable shall be required by order of the court to plead, he shall have right to plead at the time to which the cause is continued.*

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 4, 1919.

CHAPTER 178—H. F. No. 341.

An act providing a method of garnishing or attaching wages or money due any workman or laborer employed on county road work under the provisions of Chapter 182, General Laws of Minnesota for 1915, as amended by Chapter 69, General Laws of Minnesota for 1917, in any county of this state now or hereafter having an area of over 5,000 square miles.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Procedure for garnisheeing or attaching wages of laborers on public work in certain counties.**—That in any county of this state now or hereafter having an area of over five thousand (5,000) square miles, in order to attach or hold by garnishment, attachment, execution or other process any wages due for labor to any laborers, workmen or other persons who have performed manual labor on any county road, and the claims or wages of any persons who have furnished teams, wagons, scrapers or other tools and machinery in the performance of work on such roads, for the use of such teams and such equipment, when any such claims shall