

Philippino Rebellion, or in the Boxer uprising, or in the recent war against the German Empire and its allies, for the privilege of hawking or peddling goods and merchandise, not prohibited by law or ordinance, solely on his account. Upon application therefor, accompanied by proof of such discharge, to any clerk or other officer authorized to issue such license, the same shall forthwith be granted. Every violation hereof shall be deemed a misdemeanor, the minimum punishment whereof shall be a fine of ten dollars.

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

Approved April 23, 1919.

#### CHAPTER 416—H. F. No. 27.

*An act to amend Section 14 of Chapter 467, General Laws 1913, as amended by Section 5 of Chapter 209, General Laws 1915, relating to the liability of employers to compensate the dependents of employes in all cases where death results to an employe, caused by injury arising out of and in the course of employment, and fixing a scale of compensation therefor.*

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

Section 1. Dependents under workmen's compensation act.—Section 8208, General Statutes 1913, as amended by section 5 of chapter 209, General Laws 1915, be and the same is hereby amended to read as follows:

Section 14. Who are dependents and allowance to each.—(1) Wife and children conclusively presumed wholly dependent; when, for the purpose of this act, the following described persons shall be conclusively presumed to be wholly dependent: (a) Wife, unless it be shown that she was voluntarily living apart from her husband at the time of his injury or death; (b) minor children under the age of sixteen years.

(2) Prima facie presumption as to certain children; children between sixteen and eighteen years of age, or those over eighteen, if physically or mentally incapacitated from earning, shall, prima facie, be considered dependent.

(3) Actual dependents, wife, child, husband, mother, father, grandmother, grandfather, sister, brother, mother-in-law, father-in-law, who were wholly supported by the deceased workman at the time of his death and for a reasonable period of time immediately prior thereto, shall be considered his actual dependents, and payment of compensation shall be made to them in the order named.

(3A) Partial dependents. Any member of a class named in subdivision (3), who regularly derived part of his support from the wages of the deceased workman at the time of his death and for a reasonable period of time immediately prior thereto, shall be considered his partial dependent, and payment of compensation shall be made to such dependents in the order named.

(4) In death cases, compensation payable to dependents shall be computed on the following basis and shall be paid to the persons entitled thereto, without administration:

(5) If the deceased employe leave a widow and no dependent child, there shall be paid to the widow, *forty* per centum of the monthly wages of the deceased.

(6) If the deceased employe leave a widow and one dependent child, there shall be paid to the widow for the benefit of herself and such child, *fifty* per centum of the monthly wages of the deceased.

(7) If the deceased employe leave a widow and either two or three dependent children, there shall be paid to the widow for the benefit of herself and such children, *sixty* per centum of the monthly wages of the deceased.

(8) If the deceased employe leave a widow and four or more dependent children, there shall be paid to the widow for the benefit of herself and such children, *sixty-six and two-thirds* per centum of the monthly wages of the deceased.

(8A) In all cases where compensation is payable to the widow for the benefit of herself and dependent child or children, the court shall have power to determine in its discretion what portion of the compensation shall be applied for the benefit of any such child or children and may order the same paid to a guardian.

(9) In the case of remarriage of a widow without children, she shall receive a lump sum settlement equal to one-half of the amount of the compensation remaining unpaid. This sum shall be paid to her within sixty (60) days after written notice to the employer of such remarriage. In case of remarriage of a widow who has dependent children, the unpaid balance of compensation which would otherwise become due to her, shall be paid to such children.

(10) If the deceased employe leave a dependent orphan, there shall be paid *forty-five* per centum of the monthly wages of deceased, with ten per centum additional for each additional orphan with a maximum of *sixty-six and two-thirds* per centum of such wages.

(11) If the deceased employe leave a dependent husband and no dependent child, there shall be paid to the husband *thirty* per centum of the monthly wages of deceased.

(12) If the deceased employe leave no widow or child or husband entitled to any payment hereunder, but should leave a parent or parents, either or both of whom are wholly dependent on the deceased, there shall be paid, if only one parent, *thirty-five* per centum of the monthly wages of the deceased, and if both parents, *forty-five* per centum of the monthly wages of the deceased to such parent or parents.

(13) If the deceased leave no widow or dependent child or husband or parent entitled to any payment hereunder, but leaves a grand parent, brother, sister, mother-in-law or father-in-law wholly dependent on him for support, there shall be paid to such dependent, if but one, *thirty per centum* of the monthly wages of deceased, or if more than one, *thirty-five per centum* of the monthly wages of the deceased, divided between or among them share and share alike.

(14) If compensation is being paid under part 2 of this act to any dependent, such compensation shall cease upon the death or marriage of such dependent, unless otherwise provided herein.

(15) Partial dependents.—Partial dependents shall be entitled to receive only that proportion of the benefits provided for actual dependents which the average amount of the wages regularly contributed by the deceased to such partial dependent at, and for a reasonable time immediately prior to the injury, bore to the total income of the dependent during the same time.

(16) In all cases where death results to an employe caused by accident arising out of and in the course of employment, the employer shall pay, in addition to the medical and hospital expenses provided for in section 18, the expense of last sickness and burial, not exceeding in amount one hundred (\$100.00) dollars, except, in cases where an insurer of the deceased or a benefit association is liable therefor, or for a part thereof; in which case the employer shall not be required to pay any part of such expense, for which such insurer or a benefit association is liable, unless such non-payment by the employer would diminish the benefits received by the dependents of the deceased from any such insurer or a benefit association. In case any dispute arises as to the reasonable value of the services rendered in connection with the last sickness and burial, the same shall be approved by the court before payment, after such reasonable notice to interested parties as the court shall require. If the deceased leave no dependents, no compensation shall be payable except as provided by this subsection.

(17) Death compensation.—The compensation payable in case of death to persons wholly dependent shall be subject to a maximum compensation of *fifteen (\$15.00) dollars* per week and a minimum of six and one-half (\$6.50) dollars per week; provided, that if at the time of injury the employe receives wages of less than six and one-half (\$6.50) dollars per week, then the compensation shall be the full amount of such wages per week. The compensation payable to partial dependents shall be subject to a maximum of *fifteen (\$15.00) dollars* per week and a minimum of six and one-half (\$6.50) dollars per week; provided, that if the income loss of the said partial dependents by such death is less than six and one-half (\$6.50) dollars per week, then the dependents shall receive the full amount of their income loss. This compensation shall be paid dur-

ing dependency, not exceeding three hundred (300) weeks, payments to be made at the intervals when the wage was payable as nearly as may be.

(18) In computing and paying compensation to orphans or other children, in all cases, only those under eighteen years of age, or those over eighteen years of age who are physically or mentally incapacitated from earning, shall be included, the former to receive compensation only during the time they are under eighteen, the latter only for the time they are so incapacitated, within the period of three hundred (300) weeks.

(19) Actual dependents shall be entitled to take compensation in the order named in subsection (3) above, until *fifty-five* per centum of the monthly wages of the deceased during the time specified in subsection (17) shall have been exhausted; but the total compensation to be paid to all actual dependents of a deceased employe, shall not exceed in the aggregate *fifteen* (\$15.00) *dollars per week*.

Approved April 23, 1919.

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#### CHAPTER 417—H. F. No. 1043.

*An act to amend Section 845, General Statutes 1913, relating to receipts and payments of money by county treasurer.*

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

Section 1. **Receipt and payment of money.**—Section 845, General Statutes 1913, is hereby amended to read as follows:

845. The county treasurer shall receive all moneys directed by law to be paid to him as such treasurer, and pay them out only on the order of the proper authority. All moneys belonging to the county shall be paid out upon the order of the county board, signed by the chairman thereof, and attested by the county auditor, or upon the warrant of the county auditor upon the presentation to him of the proper certificate of the person or tribunal allowing the same, and not otherwise. All moneys due the state, arising from the collection of taxes or from other sources, shall be paid upon the draft of the state auditor, drawn in favor of the state treasurer, and a duplicate copy of the receipt for payment of such draft shall be forwarded by the state treasurer to the county auditor, who shall preserve the same, and credit the county treasurer with the amount thereof. *The county auditor shall issue his warrant in favor of the state for the amount of such draft and the county treasurer shall pay said warrant forthwith without endorsement thereof by the state treasurer or other state official, and without expense to the state for collection charges.*

Approved April 24, 1919.