

## CHAPTER 251—S. F. No. 525

*An act to amend General Statutes 1923, Section 4284, relating to the payment of compensation under the Workmen's Compensation Act to alien dependents.*

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

Section 1. Compensation to alien dependents.—That general Statutes 1923, Section 4284, be amended to read as follows :

"4284. In case a deceased employee, for whose injury or death compensation is payable, leaves surviving him an alien dependent or dependents residing outside of the United States, the industrial commission shall direct the payment of all compensation due to *such dependent or dependents*, to be made to the duly accredited consular officer of the country of which the beneficiaries are citizens, if such consular officer resides within the State of Minnesota, or to his designated representative residing within the state, *or if the industrial commission believes that the interests of such alien dependents will be better served, and such alien dependent shall have within ninety days after the death of such alien employee filed with the commission a power of attorney designating any other suitable person residing in this state to act as attorney in fact in such proceedings, then the said industrial commission may in its discretion appoint such person. Provided that if it appears necessary during said ninety day period to institute or carry on any proceedings to enforce payment of compensation due to such dependent or dependents the industrial commission may permit the said consular officer to commence and institute said proceeding and if during the pendency of the same, during the ninety day period following the death of the alien employee, such power of attorney is filed by said alien dependent, the industrial commission shall then summarily exercise its discretion and determine whether such attorney in fact shall be substituted to represent said alien dependent or if the said consular officer or his representative shall continue therein. Such person so appointed may institute and carry on proceedings to settle all claims for compensation and to receive for distribution to such alien dependent or dependents all compensation arising hereunder. The settlement and distribution of said funds shall be made only on order of the commission. Such person so appointed shall furnish, a good and sufficient bond, satisfactory to the commission, conditioned upon the proper application of the moneys received by him. Before such bond is discharged, such person so appointed shall file with the commission a verified account of the items of his receipts and disbursements of such compensation.*

Such *person so appointed* shall, before receiving the first payment of such compensation, and thereafter, when so ordered so to do by the commission, furnish to the commission a sworn statement containing a list of the dependents with the name, age, residence, extent of dependency and relationship to the deceased of each dependent."

Approved April 19, 1929.

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CHAPTER 252—S. F. No. 603

*An act to amend Section 4290 of General Statutes 1923, relating to the liability of an employer to make compensation for injuries received by an employe and defining the liability of employers, contractors and sub-contractors under the Workmen's Compensation Act.*

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

**Section 1. Certain persons liable as employes—Contractors—Subcontractors, etc.—**That Section 4290 of General Statutes 1923, be and the same hereby is amended so as to read as follows:

"Sec. 4290. (1) Any person who creates or carries into operation any fraudulent scheme, artifice or device to enable him to execute work without himself being responsible to the workman for the provisions of this act, shall himself be included in the term "employer" and be subject to all the liabilities of the employers under this act. But this section shall not be construed to cover or mean an owner who lets a contract to a contractor in good faith. Provided, however, that no person shall be deemed a contractor or sub-contractor, so as to make him liable to pay compensation within the meaning of this section, who performs his work upon the employers' premises and with the employers' tools or appliances and under the employers' directions; nor one who does what is commonly known as "piece work" or in any way where the system of employment used merely provides a method of fixing the workman's wages.

(2) Where compensation is claimed from or proceedings taken against a person under subdivision (1) of this section, the compen-