

89022

GENERAL STATUTES OF MINNESOTA

SUPPLEMENT 1917

CONTAINING THE AMENDMENTS TO THE GENERAL STATUTES
AND OTHER LAWS OF A GENERAL AND PERMANENT
NATURE, ENACTED BY THE LEGISLATURE
IN 1915, 1916, AND 1917

WITH NOTES OF ALL APPLICABLE DECISIONS

COMPILED BY

FRANCIS B. TIFFANY



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1918

[4153—]2. **Aid to blind students at universities, colleges, etc.**—That any blind person who is, and for five (5) years immediately preceding the making of his application for aid under this act has been, a resident of this state, and who is a regularly enrolled student pursuing any course of study, profession, art or science in any university, college, or conservatory of music, approved by the board of directors of the Minnesota School for the Blind, may in the discretion and under the direction of the said board, receive a sum or sums of money not exceeding Three Hundred Dollars (\$300.00) in any one year, for the purpose of defraying his necessary expenses, including those of a reader, while in attendance upon such university, college or conservatory, such expenditures to be made from the appropriations for the current expenses of the Minnesota School for the Blind, provided that not more than five (5) such blind persons shall receive such aid in any one year. ('15 c. 307 § 1)

By § 2 the act takes effect August 1, 1915.

CHAPTER 27

STATE PUBLIC SCHOOL

4155, 4156. [Repealed.]

See § [4168—]1.

4157. Admission of pupils—Children under fifteen years of age who are dependent on the public for support, abandoned, neglected, or ill treated, and who are sound of mind and free from disease, shall be received into said school upon commitment by a juvenile court. Whenever the number of such children shall exceed the capacity of the school, preference shall be given to the younger children and to those in greatest need, and the children received shall be divided among the several counties as justly as possible, taking into consideration the number of such children in each county and its population. The state board of control or superintendent shall notify the juvenile court of any county of the number of children that can be received from such county, whenever vacancies exist, or upon inquiry from the court. The children of deceased soldiers shall be given preference in admission. No child who can be received into the school shall be maintained in any poorhouse. Before any child under one year of age shall be ordered sent to said school, a written statement from the superintendent shall be obtained, showing that said child can be received and cared for in said school. (Amended '17 c. 214 § 1)

4158-4160. [Repealed.]

See § [4168—]1.

4161. Guardianship of child—A child admitted to said school shall remain therein and subject to the guardianship of the state board of control until a proper home is procured for him. The board may return or discharge each child when satisfied that he is unsound in mind, or diseased, or for other cause is not a proper inmate of this school. Upon such return or discharge the guardianship of the board shall cease and the child shall again be under the custody of his parents or guardian, or a charge upon the county from which he was sent. (Amended '17 c. 214 § 2)

4162. [Repealed.]

See § [4168—]1.

4163. Adoption and apprenticeship—

A child adopted by a widow after her husband's death is not entitled to the benefits of § 8208 subd. 9, of the Workmen's Compensation Act (133-265, 158+250). Master and Servant, ~~388~~.

4167. State board of control to find homes for children—The state board of control is hereby authorized to receive, keep, maintain, train and find homes for such children as the controlling board or other managing authorities of any institution or association which is permitted to receive, find homes for or

secure adoption for children under the supervision of the state board of control may request. (Amended '17 c. 214 § 3)

4168. Same—Visitatorial powers—The state board of control is authorized to visit and investigate the conditions of all children for whom homes have been found by an institution within the state of Minnesota which has or may at any time have been permitted by said board to receive and find homes for dependent children. (Amended '17 c. 214 § 4)

[4168—]1. **Sections repealed—**Sections 4155, 4156, 4158, 4159, 4160, 4162 and 4169, General Statutes, 1913 are hereby repealed. ('17 c. 214 § 5)

4169. [Repealed.]

See § [4168—]1.

CHAPTER 28

RAILROADS, WAREHOUSES, AND GRAIN

RAILROAD AND WAREHOUSE COMMISSION

4178. Duties—

In general—Trial court held warranted in finding that order of railroad and warehouse commission directing certain changes in passenger and freight service upon a branch of its system was not unreasonable or unlawful (162+1079). Railroads, ☞9(2).

An order of the commission, pursuant to this section and § 4239, will not be disturbed by the courts, where it does not appear that the commission exceeded its powers (124-533, 144+771). Railroads, ☞9(2).

Tests of reasonableness of orders of the commission (see 130-57, 153+247). Railroads, ☞9(1).

Ordering new depot—Ordering a depot and waiting room is legislative or administrative, but its reasonableness is a judicial question. The reasonableness of the order in the present case held shown by the evidence (135-19, 159+1089). Railroads, ☞9(1, 2).

The commission has power to require a suitable depot, including a passenger waiting room, at a place where the public convenience renders the same reasonably necessary (123-463, 144+155; 135-19, 159+1089). Railroads, ☞58.

When a depot is ordered by the commission, the order may require that the depot, in its construction, shall comply with the fire ordinances of the village (135-19, 159+1089). Railroads, ☞226.

Commission has power to require facilities at one station equal to those furnished voluntarily at other stations (122-55, 141+1102). Railroads, ☞225.

Compelling Sunday local—An order of the commission compelling the resumption of a Sunday local passenger train, though prima facie reasonable under § 4192, will not be sustained on appeal to the supreme court, where the district court held such order unreasonable and void; it being contrary to the public policy of the state to compel Sunday labor (130-57, 153+247). Railroads, ☞9(2).

4184. Witnesses—

Cited (131-116, 154+750).

4186. Complaint by attorney general that rate is unreasonable—Duty of commission—

See notes under § 4285.

4187. Investigation without complaint—New rates—Notice—

See notes under § 4285.

4191. Appeals to district court—Any party to a proceeding before the commission, or any party affected by any order thereof, or the state of Minnesota, by the attorney general, may appeal therefrom to the district court of the county in which the complainants, or a majority of them, reside, or in case none of them reside in the state, or in a proceeding commenced by the commission on its own motion without complaint, to the district court of one of the counties in which the order of the commission requires a service to be performed or an act to be done or not to be done by the carrier or warehouseman; or in case of train service, to the district court of one of the counties through which the train runs, at any time within thirty days after service of a