

H. F. No. 18.

## CHAPTER 288.

Railroad companies. Appeals from judgments or orders.

*An act to regulate appeals by railroad companies from orders or judgments relating to transportation rates or charges, and for the protection of persons affected by such appeal.*

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

Appeals to district court on orders of railroad commission for adjustment of transportation rates.

SECTION 1. Whenever any proceeding is had under the provisions of any law of this state before the railroad and warehouse commission for the readjustment, reduction or alteration of any rates or charges made by any railroad company for the transportation of persons or property over its line, or for the establishment or alteration of any classification of property to be transported by any railroad company, and where said commission make an order in any such matter and the railroad company affected appeals therefrom to any district court, the order made by said district court on said appeal shall go into effect immediately. And in case of an appeal by any railroad company affected by such order or judgment of the district court to the supreme court of said state, such appeal to the supreme court shall not stay the operation of the order or judgment of the district court so appealed from, unless the district court on proper showing when said appeal is made directs a stay of such order or judgment until said appeal is determined in said supreme court, and unless said appealing railroad company files with the clerk of the district court a good and sufficient bond, in such amount as the judge of the district court shall direct and approve, conditioned that in case said order appealed from is affirmed by the supreme court said railroad company will repay to any and every passenger who has, during the pendency of said appeal, paid any fare in excess of the amount fixed by the order of the district court, and to any consignor or consignee of any property carried or transported by said railroad company the amount he or they have paid as freight for the transportation of said property in excess of the amount fixed by the order and judgment of the district court, during the pendency of said appeal in the supreme court of this state or the supreme court of the United States.

Appeals to state supreme court not to stay order of district court, except.

Passengers' and shippers' claims during pendency of appeal valid.

And it is hereby declared that any such passenger, and any such consignor or consignee of any freight, shall have a valid claim against any such appealing railroad company for any amounts paid as above provided, dur-

ing the pendency of said appeal in excess of the rates fixed by the order or judgment of the district court so appealed from, and in case of any such affirmation on appeal, a person holding any such claim for excessive charges may recover the same in any court having jurisdiction, together with costs and reasonable attorney's fee, against said appealing railroad company and the sureties on said appeal bond, unless said railroad company which collected such excessive charges repays the same within thirty days after written demand for such repayment.

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

Approved April 23, 1897.

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CHAPTER 289.

H. F. No. 749.

*An act to provide for the care and treatment of crippled and deformed children.*

Care of crippled and deformed children.

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

SECTION 1. That the board of regents of the state university are hereby authorized and empowered to make provision for the care and treatment in some hospital or hospitals within ten miles of the state university for any indigent children who may have resided within the state of Minnesota not less than one (1) year, who are crippled or deformed or are suffering from disease through which they are likely to become crippled or deformed. They shall make provision for the maintenance and care of such children on such terms as may be agreed upon between the said board of regents and the managers of such hospital or hospitals.

University regents to provide for indigent children in hospitals.

SEC. 2. The children so provided for shall receive medical and surgical treatment by the members of the staff of the medical college of the university, and the members of said staff shall receive no extra compensation for such medical or surgical treatment.

University medical staff to treat children.

SEC. 3. The said board of regents shall adopt such rules and regulations as they may deem proper and necessary for the admission, discharge, care, treatment and government of such children.

SEC. 4. There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of five thousand (5,000) dollars for the fiscal year ending July thirty-first (31st), eighteen hundred

Appropriation.