

CHAPTER 449—H. F. No. 25.

An Act to prohibit the granting to or use by any person of any free pass, frank or special privileges withheld from any other person, and to fix the penalty for violating thereof.

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

Giving of passes by railroads, etc., prohibited.—Section

1. From and after Jan. 1, 1908, it shall be unlawful for any person, association, co-partnership, or corporation, or any representative thereof, to offer, give, or in any manner furnish to any person, either for himself or another, any free pass or frank, or any special privilege or reduction in rate withheld from any other person for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication except to persons included within the classes hereinafter designated and limited, and it shall also be unlawful for any person or persons, not included within the classes hereinafter excepted or limited to solicit or receive, either for himself or another from any person, association, copartnership or corporation, or use in any manner or for any purpose any free pass or frank or special privilege withheld from any person for the traveling accommodation or transportation of any person or property or the transmission of any message or communication; *provided, however,* that nothing contained in this act shall be construed to prohibit or to make unlawful the issuing or giving of any such free ticket, free pass, or free transportation to any person or persons within the classes hereinafter excepted or limited or the acceptance or use of the same by persons within such classes, that is to say, officers, bona fide agents, surgeons, physicians, attorneys and employes of such railroad or other companies or persons affected by this act, and dependent members of their families, the duly elected representatives of railroad labor organizations, children under twelve (12) years of age, ministers of religion, secretaries of Young Men's Christian associations, persons exclusively engaged in charitable and eleemosynary work, indigent, destitute and homeless persons, and such persons when transported by charitable societies or hospitals or by public charity, and necessary agents employed in such transportation, inmates of national homes or state homes for disabled volunteer soldiers, inmates of soldiers' and sailors' homes, including those entering and returning from such homes, and boards of man-

C 449
09 - -
13 - -
13 - -
118-M -
137-NW -
Supp. f
33 LR. An.
11 An.
398
212-US

agers of such homes, postoffice inspectors, custom inspectors and immigration inspectors; witnesses for said railroad companies attending any legal investigation in which said company is interested; officials and linemen of telegraph and telephone companies; ex-employees retired from service on account of age or because of disability sustained while in the service of said railroad company, and the dependent members of their families, or the widows or dependent children of employes killed while in the service of such railroad company; necessary care-takers of livestock, poultry, vegetables and fruit, including transportation to and from the point of delivery, employes on sleeping and express cars, railway mail service employes, newsboys on trains, baggage agents and persons injured in wrecks and physicians and nurses attending them; *provided*, that one trip pass for a discharged employe and his family, may be issued for use within thirty (30) days of such discharge;

Provided, further, that the provisions of this act shall not be construed to prohibit and make unlawful the interchange of passes, and express and other franks for the officers, bona fide agents, surgeons, physicians, attorneys and employes and the dependent members of their families, of any person or company affected by this act, nor to prohibit any company affected by this act from doing any of the things prohibited hereby free, with the object of providing relief in cases of general epidemic, pestilence or calamitous visitation.

Provided, further, that the provisions of this act shall not be construed to prohibit or make unlawful the interchange of passenger transportation and message service between such railroad companies and telegraph companies, and *provided further*, that the provisions of this act shall not be construed to prohibit or make unlawful the interchange between railroad, express, telegraph and telephone companies of the transportation of persons and property, and the transmission of messages.

Provided, further, that no free transportation shall be issued or given to any person when such person is a member of, employed by or in any way connected with any political committee or candidate for or incumbent of any office or position under the constitution and laws of this state, except as herein provided.

Exceptions.—Sec. 2. The railroad and warehouse commission and their secretary shall have the right to free transportation in the performance of their duties on all railroads and railroad trains, in this state, and their experts or other agents whose service they may require shall likewise be transported free of charge.

Penalty.—Sec. 3. Any person, corporation or company or any officer or agent of such corporation or company violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not exceeding one hundred (100) dollars or by imprisonment in the county jail for a period not exceeding ninety (90) days.

Sec. 4. This act shall take effect and be in force from and after Dec. 31st, 1908.

Approved April 25, 1907.

CHAPTER 450—H. F. No. 70.

An Act to amend section 4199, Revised Laws 1905, relating to basis of motion for a new trial.

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

Notice.—Section 1. That section 4199, Revised Laws 1905, be and the same is hereby amended so as to read as follows:

Section 4199. If the motion be made for a cause mentioned in section 4198, subdivision 1-4, pertinent facts not appearing of record shall be shown by affidavit; if for any other cause, a case or bill of exceptions shall first be settled and included in the record, unless the moving party within fifteen days of the rendition of verdict or notice of the filing of the decision or report, notices the motion to be heard on the minutes of the court, in which case the judge shall hear the motion on the minutes of the judge or of the stenographer, but it shall not be necessary for the moving party to furnish the court or the opposing party a transcript of the stenographers' minutes, nor of any part thereof, as a condition to have the motion heard. If the motion is to be heard on the minutes of the court, it shall be heard within thirty