

## CHAPTER 140—H. F. No. 931.

*An act relating to the use of the right of way of railroads for public warehouses and other structures and instrumentalities and ground space connected therewith and repealing inconsistent acts.*

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

**Section 1. Railroad right of way may be used for warehouses, etc.**—Any person, firm or corporation shall have the right to use as a site for a public elevator, warehouse, coal shed, ice house, buying station, selling station, or use ground space, for receiving, storing or distributing any article of commerce, transported or to be transported, a proper portion of the right of way of any railroad within the outside switches at any station or siding upon the payment of reasonable compensation therefor.

**Sec. 2. May petition Railroad and Warehouse Commission.**—Any such person, firm or corporation desiring to construct, operate or use a public elevator, warehouse, coal shed, ice house, buying station, selling station, or use ground space for receiving, storing or distributing any article of commerce transported or to be transported, or to continue the use and operation of any such buildings, structures, instrumentalities or ground space where the same are already constructed or used, upon such right of way of any railroad, if unable to agree with the person, firm or corporation operating such railroad upon the site for such buildings, structures, instrumentalities and ground space, or the compensation to be paid therefor, may file a verified complaint with the Railroad and Warehouse Commission setting forth the facts and requesting the commission to establish the location of the site for such buildings, structure, instrumentalities and ground space or the compensation to be paid therefor, or both, as the case may be. Such complaint shall be served upon such railroad company and twenty days, exclusive of the day of such service, shall be allowed for answer. After the time for answering has expired the Commission shall fix the time and place for a hearing and give at least ten days notice thereof to both parties.

**Sec. 3. Hearing—Order.**—That the hearing shall be held pursuant to such notice and thereafter the Commission, if it finds that the complainant is entitled thereto, may make an order establishing the location of the site for such buildings, structures, instrumentalities and ground space, at a suitable place within the outside switches at any station or siding, and fixing the reasonable annual compensation to be paid therefor. Where such buildings, structures, instrumentalities and ground space are already established or used upon such right of way and the compensation therefor is not fixed by order of the Commission or by contract, the Commission may fix the reasonable compensation to be paid for the occupation thereof.

Sec. 4. Chap. 490, G. L. 1919 repealed.—That Chapter 490 of the General Laws 1919, be, and the same is hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its passage.

Approved March 31, 1921.

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CHAPTER 141—S. F. No. 131.

*An act authorizing and empowering any school district in the state of Minnesota, to provide for, establish, conduct and maintain schools for crippled children in such districts and appropriating money therefor.*

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

Section 1. **School districts may establish schools for crippled districts.**—Upon application made to the Commissioner of Education by any school district, complying with the provisions of this Act, said Commissioner may grant permission to such district to establish and maintain within its limits on or more classes for the instruction of crippled children who are residents of the state, providing there shall be not less than five crippled children of school age in each class.

The courses, method of instruction and supervision, the conditions under which teachers and helpers are employed, and the equipment, must comply with such requirements as may be prescribed by the Commissioner of Education. Teachers in such classes shall be appointed as are other public school teachers, and shall possess the usual qualifications required of teachers in public schools, and in addition thereto, such special training as the Commissioner of Education may require. Nurses appointed to such schools shall be registered nurses, and shall be subject only to such additional examination as the Commissioner of Education may require, and their appointments shall be on the same basis as public school teachers.

For the purposes of this Act, any child of school age, other than one of defective hearing, speech or sight, and who is of normal mind but is deformed in body or limb and who cannot profitably or safely be educated in the regular classes as other children, shall be considered crippled and required to attend such classes, unless excused because of infectious disease or other conditions making attendance undesirable.

Any school district maintaining one or more such classes, shall, through its Superintendent, report to the Commissioner of Education annually, or oftener if he so desires, such facts relative to such class or classes as he may require, and such Superintendent shall render annually to the Commissioner of Education an itemized statement of all expenditures of said class or classes.

There shall be paid out of the current school fund in the state