

as provided in this section or the superintendent of schools of each county if such apportionment is made as provided by section one of this act, shall transmit to the treasurers of the counties affected by said apportionment, a certified copy of such apportionment and application, if any.

Duties of county boards and officials.—Sec. 3. The county boards of education and the county officials of the old and new counties, shall forthwith after such division and apportionment, proceed to fulfil and carry out the terms thereof, determined or herein provided.

Approved April 19, 1911.

CHAPTER 280—H. F. No. 1155.

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An Act to appropriate money for the expenses of the state government and for other purposes.

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

Supplementary state government appropriation bill.—Section 1. The sums hereinafter named or so much thereof as may be necessary, are hereby appropriated from any moneys in the state treasury not otherwise appropriated for the purposes specified in the following sections of this act, to be available at the time designated opposite each item.

Sec. 2. County and district agricultural societies.

1. To aid county and district agricultural societies pursuant to the provisions of section 3098, Revised Laws 1905, or any amendments thereto, available for the fiscal year ending July 31st, 1912, to be paid out for premiums on exhibits only to county and district agricultural fairs held during the year 1911, and annually thereafter, \$75,000.

All standing appropriations heretofore passed to aid county and district agricultural societies are hereby repealed as to any fairs held after the year 1910.

Sec. 3. Department of public instruction.

1. Additional for public school libraries, available for the year ending July 31, 1912, \$12,500.

2. Additional for public school libraries, available for the year ending July 31st, 1913, \$12,500.

3. To re-build rural school houses in this state destroyed by forest fires during the year 1910, available for the year ending July 31, 1911, \$5,000.

4. For assisting in the maintenance of public schools on Indian reservations or in territory heretofore occupied as such, where there is not sufficient taxable property to maintain a public school for at least five months, and to be expended by the superintendent of public instruction, through the county board of education in which such territory mainly lies, and for teachers' wages and test books only, fifteen thousand (\$15,000) dollars.

Provided that in school districts maintaining high schools or state graded schools the library books in such districts shall be purchased during the next two years, beginning August 1, 1911, from the special appropriations made for high and graded schools, and schools in such districts shall not share in any appropriation made especially for the purchase of library books.

Sec. 4. Soldiers home.

1. For salary of waitresses for men's dining room, hospital and women's building, for year ending July 31st, 1912, \$2,160.

2. For salary of waitresses for men's dining room, hospital and women's building, for the year ending July 31st, 1913, \$2,160.

3. For an addition to the building for ex-soldiers and marines, their wives, widows and mothers, available for the year ending July 31st, 1912, \$50,000.

4. For heating and lighting plant for old folks' or women's building or for enlarging present heating plant, available for the year ending July 31st, 1912, \$10,000.

5. \$2,500 or so much thereof as may be necessary for furnishings for main dining room and additional supplies for each of the years ending December 31st, 1911, and December 31st, 1912, available on the 31st of July of each of said year.

Sec. 5. For game and fish commission.

Glenwood hatchery:

1. To purchase real property and springs adjoining the second state fish hatchery at Glenwood and to improve and develop the same in connection with and for the use of said hatchery, and to erect and construct a hatching house at said fish hatchery and to equip the same, available for the year ending July 31st, 1912, \$6,500.

2. For the purpose of propagating muskallonge in the lakes of Hubbard County, available for the year ending July 31st, 1912, and for the year ending July 31st, 1913, \$200.

Sec. 6. Secretary of state.

1. Additional for stenographer, available July 31st, 1912, \$200.

2. Additional for stenographer, available July 31st, 1913, \$200.

Sec. 7. Drainage commission.

1. For expenses in carrying on the topographical and hydrographical surveys of the various water sheds of the state, available for the year ending July 31st, 1912, \$25,000.

2. For expenses in carrying on the topographical and hydrographical surveys of the various water sheds of the state, available for the year ending July 31st, 1913, \$25,000.

3. For assessment for drainage of state lands, available for the year ending July 31st, 1911, \$12,000.

Sec. 8. State tuberculosis commission.

1. For expense of state tuberculosis commission in planning for the establishment, construction and maintenance of tuberculosis sanatoria, for the year ending July 31st, 1911, \$500.

Sec. 9. For state parks.

1. For Itasca state park for roads, fire lines and trails and for care and improvement, available for the year ending July 31, 1912, \$6,000.

2. For Itasca state park for roads, fire lines and trails and for care and improvement, available for the year ending July 31, 1913, \$6,000.

3. Additional for the purpose of buying standing timber or land and standing timber in Itasca state park, available for the year ending July 31st, 1912, and annually thereafter, \$1,000.

Sec. 10. Dairy and food department.

1. For establishing an experiment station for the dairy and food department within 1 mile of the city of Albert Lea, Minn., and obtaining the necessary good buildings and equipment therefor, available for the year ending July 31st, 1911, \$10,000.

2. For equipping the same, available for the year ending July 31st, 1911, \$5,000.

3. For maintenance for the year ending July 31st, 1912, \$5,000.

4. For maintenance for the year ending July 31st, 1913, \$5,000.

Sec. 11. Forestry commission.

1. For additional maintenance for, the year ending July 31st, 1911, \$4,500.

Sec. 12. Sibley house association.

1. For improving and maintaining Sibley house, available for the year ending July 31st, 1911, \$1,500.

Sec. 13. Miscellaneous.

1. For the relief of Wm. C. Paschke, private, company "B," 2nd Infantry, Minnesota National Guard, for injuries sustained

while in discharge of his duty at annual encampment at Lake City, Minn., July 1909, available for the year ending July 31st, 1911, \$5,000.

Said sum to be paid to Col. Arthur W. Wright, trustee, for the use and benefit of said Paschke. Said trustee shall give bonds for the faithful performance of his trust.

2. To reimburse John Lohse for work done on the tuberculosis hospital at St. Peter, Minn., and for material furnished by him therefor, available for the year ending July 31st, 1911, \$1,710.

3. To reimburse Henry W. Bultman of Faribault, Minn., for penalties paid on delinquent interest on school lands situated in Rice County, Minnesota, available for the year ending July 31st, 1911, \$195.35.

4. To reimburse the Iron Queen Mining Company for mon-
eys expended by it as lessee of the State of Minnesota in the pay-
ment of rent to said state and in exploring for iron ore upon
the land leased under that certain mining lease dated the 16th
day of November, 1907, of the N. W. $\frac{1}{4}$ of section 14, township
62, range 12, west of the fourth principal meridian, St. Louis
County, Minnesota, available for the year ending July 31st, 1911,
\$4,256.72.

5. To reimburse John Ottoson for services performed by
him for the State of Minnesota as a game warden between the
first day of March, 1907, and the first day of May, 1907, and be-
tween the 10th day of November, 1907, and the 10th day of De-
cember, 1907, available for the year ending July 31st, 1911, \$90.

6. To reimburse Chas. Graves for the killing of one horse
October 3rd, 1910, under the direction of Dr. G. A. Dahl, health
officer, City of Mankato, Minn., available for the year ending
July 31st, 1911, \$50.

7. For the relief of the next of kin of George W. Cryer, for
personal injuries sustained by him in August, 1901, while in the
performance of his duty as a carpenter at the state hospital for
the insane at St. Peter, Minn., which injury caused the death of
said Cryer, available for the year ending July 31st, 1911, \$1,000.

8. For the relief of Arthur M. Nelson, sergeant-major, 2nd
Infantry, Minnesota National Guard, who was injured while on
duty at the annual encampment held at Lake City, Minn., July,
1910, available for the year ending July 31st, 1911, \$200.

9. To reimburse Ella V. Workman, formerly Ella V. Shel-
hamer, for money paid into the state treasury by the estate of
Fernandan Kuno, available for the year ending July 31st, 1911,
\$1,022.97.

10. To reimburse the Hauges Norwegian Evangelical Lu-
theran Synod of America for foreign missions for money paid
into the state treasury, July 10th, 1906, from the estate of Ole
Indahl, available for the year ending July 31st, 1911, \$814.19.

11. For the relief of Jas. A. Phillips, a private, company "F," 3rd Infantry, Minnesota National Guard, for injuries sustained by him through the loss of an eye on June 22nd, 1908, while in discharge of his duty at the annual encampment of said regiment at Lake City, Minn., available for the year ending July 31st, 1911, \$1,500.

12. To reimburse Chas. H. Watson for moneys paid for and in behalf of the State Humane Society, available for the year ending July 31st, 1911, \$582.70.

13. For the relief of George Bushbaum, a minor 16 years of age, for personal injuries sustained by him while employed in the laundry of the state training school at Red Wing, Minn., by reason of having his left hand drawn into a defective and unguarded mangle, producing injuries necessitating the amputation of four fingers, the sum of \$2,000, which sum shall be paid to the duly appointed and qualified guardian of said George Bushbaum in annual installments of \$300.00 each until the full sum has been paid, beginning July 31, 1911, *provided*, however, that said Geo. Bushbaum or his guardian shall furnish satisfactory evidence to the state board of control whenever so requested that said Geo. Bushbaum during all of said time is attending school and *further provided* that should said George Bushbaum wilfully refuse or neglect to attend school during the time of the payment of said sum, then in that event all future payments shall cease and the state shall thereafter be relieved from all payments herein provided for.

14. For the relief of Henry Olsen, private, company "G," 3rd Infantry, Minnesota National Guard, who was injured while on duty at the annual encampment held at Lake City, Minn., June 1909, available for the year ending July 31st, 1911, \$300.

15. For the relief of Chas. Hagberg, private, company "A," 3rd Infantry, Minnesota National Guard, who was injured October 3rd, 1909, while on duty, available for the year ending July 31st, 1911, \$600.

16. For the relief of James Dolan for injuries sustained by him through the breaking of both legs by the falling of a defective elevator while he was an employee at the state capitol, available for the year ending July 31st, 1911, \$2,500.

17. For the relief of John Steinwarth for injuries sustained by him through the breaking of his ankle while working as an employee at the Minnesota state reformatory in the city of St. Cloud, Minn., on the 13th day of March, 1909, available for the year ending July 31st, 1911, \$1,000.

18. For the relief of Benjamin Schindler for injuries sustained by him resulting in the loss of his left eye while employed at the state reformatory at St. Cloud, on July 30th, 1910, available for the year ending July 31st, 1911, \$1,000.

Said money so appropriated is to be disbursed under the order of the board of control in such sums and at such times as they may order and direct in their discretion.

19. To reimburse A. H. Reed for moneys expended by the Lake Superior and Mississippi River canal commission appointed by joint resolution No. 9, 36th session Legislature of Minnesota, available for the year ending July 31st, 1911, \$137.

20. For the purpose of providing for an historical painting representing the Fifth Minnesota Volunteer Infantry in the battle of Corinth, Mississippi, on October 4th, 1862. Said painting to be of equal merit as a work of art to the paintings of other scenes now finished and in position and shall be suitably placed in the capitol; available for the year ending July 31st, 1911, \$3,500.

Said money to be expended under the direction of a commission of three citizens of the state to be appointed by the governor from the survivors of the late civil war. One of said commission to be a late member of the said Fifth Infantry.

21. For the purpose of providing for an historical painting representing some incident or achievement in the history of the Eighth Volunteer Infantry. Such incident to be determined by the commission hereinafter named: W. H. Houlton, J. C. Cooper, D. L. Kingsbury, of the Eighth Minnesota Volunteers. Available for the year ending July 31st, 1912, \$3,500.

22. To reimburse Hugh V. Mercer for moneys expended by him for expenses incurred as member of the Minnesota employees' compensation commission, available for the year ending July 31st, 1911, \$500.

23. To reimburse W. E. McEwen for moneys expended by him for expenses incurred as member of the Minnesota employees' compensation commission, available for the year ending July 31st, 1911, \$500.

24. To reimburse the Farmers' Co-operative Association of Wrenshall, Minnesota, for incorporation fees paid into the state treasury contrary to law, \$50.

25. For the relief of Gibson Bros. of St. James, Minn., for horses and mules killed by order of the live stock sanitary board in October, 1906, \$500.

26. To Eleanor Johnson, widow of the late Gov. John A. Johnson, who died in office and in the service of the state, to be paid to her as such widow, the sum of seven thousand dollars (\$7,000).

27. For additional improvement and maintenance of Minneopa state park, \$500.

28. For the attorney general's contingent fund the further and additional sum and amount of one thousand (\$1,000) dollars, to be paid to Albert Schaller for services rendered to the state in the case of the State of Minnesota vs. Patrick J. Gibbons.

29. For improving, beautifying and maintaining Camp Release Park, Lac Qui Parle county, to be expended under the direction of K. R. Moyer, H. E. Hoard and C. S. Williams of Montevideo, Minn., \$100.

Sec. 14. Whenever it becomes necessary, in order to meet the current demands upon the revenue fund of the payment of appropriations, the governor, auditor and treasurer may, at any time prior to July 31st, 1913, make such agreement with banks or other corporations or persons as they may deem advisable or necessary to pay warrants issued against said revenue fund pursuant to any such appropriation prior to the time when the money to meet such appropriation comes into the state treasury, and whenever any warrants so issued are paid for the accommodation of the state the money necessary to pay interest upon the amount of such warrants from the time such payment was made until the money to redeem such warrants comes into the state treasury, at the rate agreed upon by said governor, auditor and treasurer, is hereby appropriated.

Approved April 19, 1911.

CHAPTER 281—H. F. No. 34.

An Act to amend section 4503, Revised Laws of Minnesota 1905, relating to action for death by wrongful act and amount of damages to be recovered.

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

\$7,500 for death by wrongful act.—Section 1. That section 4503 Revised Laws of Minnesota 1905 be and the same is hereby amended so as to read as follows:

4503. Action for death by wrongful act.—When death is caused by the wrongful act or omission of any person or corporation, the personal representative of the decedent may maintain an action therefor if he might have maintained an action, had he lived, for an injury caused by the same act or omission. The action may be commenced within two years after the act or omission. The damages therein cannot exceed seven thousand five hundred dollars, and shall be for the exclusive benefit of the surviving spouse and next of kin, to be distributed to them in the same proportion as personal property of persons dying intestate; but funeral expenses, and any demand for the support of the decedent, duly allowed by the probate court, shall first be deducted and paid. *Provided*, that if an action for such injury shall have been commenced by such decedent, and not finally determined during his life, it may be continued by his personal representative for the benefit of the same persons and for recovery of the same dam-