

CHAPTER 308—S. F. No. 1686

An act requesting and directing payments to be made out of the trunk highway fund to compensate and reimburse persons and counties for personal injuries and property damaged in the location, construction, reconstruction, improvement and maintenance of the trunk highway system; and authorizing an action against the Commissioner of Highways for the recovery of any of the claims hereinafter specified, so far as any of the same shall be judicially determined to be a legal claim against the trunk highway fund of the State of Minnesota, for the sole purpose of determining the question of legal liability and the amount thereof, without the enactment of the within bill being admissible in evidence as evidence of any such liability or the amount thereof.

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

Section 1. Appropriations for miscellaneous highway claims.—That the Commissioner of Highways is requested and directed, upon receiving receipt and discharge in full from each of the persons and counties hereinafter named for all damages sustained by them in the location, construction, reconstruction, improvement and maintenance of the Trunk Highway System, to pay out of the Trunk Highway Fund to each of the persons and counties hereinafter named the sum set opposite the respective names of each of said persons and counties, respectively as follows, to-wit:

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| Sec. 2. | To reimburse J. F. Quist for damages to person and automobile on account of negligent operation of snow plow by employees of the State Highway Department | \$100.00 |
| Sec. 3. | To reimburse Thomas O'Meara for damages to personal property by reason of negligent maintenance of Trunk Highway by employees of the State Highway Department | \$400.00 |
| Sec. 4. | To reimburse Charles Berg for loss of personal property by reason of negligence and carelessness of the State Highway Department in the construction and maintenance of Trunk Highway No. 59 | \$1,000.00 |

- Sec. 5. To reimburse William R. McConochie Ida E. Reeve and Marjorie M. Pearson for damages resulting to land and improvements thereon by reason of the negligent construction and maintenance of Trunk Highway No. 59 by the State Highway Department\$3,500.00
- Sec. 6. To reimburse Mike Jentges for loss of horse caused by the negligence of employes of The State Highway Department in the maintenance of Trunk Highway No. 16 \$150.00
- Sec. 7. To reimburse William Eklund for loss and damages to property by reason of the negligence of employes of the State Highway Department in the construction and maintenance of Trunk Highway No. 95 \$296.50
- Sec. 8. To reimburse E. W. and Florence O. Nelson for damages sustained to their land and improvements by reason of the construction of a bridge on Trunk Highway No. 210 by McKenzie-Hague Company under contract with the State of Minnesota, Department of Highways\$1,500.00
- Sec. 9. To reimburse Jennie Kingsley for damages to real estate and crops caused by the negligent construction and maintenance of a bridge by the State Highway Department on Trunk Highway No. 61\$3,000.00
- Sec. 10. To reimburse the County of Douglas as and for the benefit of the City of Alexandria with said county by reason of the construction and permanent improvement of a portion of Trunk Highway No. 29, said reimbursement only to be to the extent of the reasonable value of the improvement made upon the basis of pavement costs at time of letting of the contract for said improvement but shall in no event exceed the sum of\$5,066.00

Sec. 11. To reimburse the County of St. Louis as and for the benefit of the Village of Hibbing within said county, by reason of the construction and permanent improvement of a portion of Trunk Highway No. 169, formerly Trunk Highway No. 35, said reimbursement only to be to the extent of the reasonable value of the improvement made upon the basis of pavement costs at time of letting of the contract for said improvement, but shall in no event exceed the sum of . . . \$46,000.00

Sec. 12. To reimburse Fannie Davies for sand, gravel and other material alleged to have been taken by the State Highway Department wrongfully from said Fannie Davies while she was the owner of certain lands in St. Louis County, but in no way shall the damages involved exceed the sum of . . . \$10,000.00

Sec. 13. **Amounts to be adjudicated by courts.**—The foregoing claims have been allowed for the purpose of permitting the claimants to contest their rights in the Courts, if any they have, as the wrongs or alleged wrongs to property of the claimants were of such complicated character that the Committees of the Legislature felt that they could not hear them properly on the facts and the purpose of making the allowance is only to give the claimants the right to have their injuries, if any they have sustained, entitling them to a day in Court and the amounts allowed are in no way to be considered by the Courts as an adjudication of the claim, insofar as the amount is concerned.

Sec. 14. This act shall take effect and be in force from and after its passage.

Approved April 29, 1935.

CHAPTER 309—S. F. No. 1687

An act requesting and directing payments to be made out of the trunk highway fund to compensate and reimburse the secretary of state, a certain borough, persons, firms or corporations, for property damaged in the location, construction,