

Credits, Highway Department and Game and Fish Division, shall use any of such funds for the payment of the salary or expenses of a publicity representative. The head of any such department, bureau or division shall be personally liable for funds spent contrary to this provision.

This shall not be construed, however, as preventing any such department, bureau or division, from sending out any bulletins or other publicity required by any state law or necessary for the satisfactory conduct of the business for which such department, bureau or division was created.

**Sec. 39. Reimbursement of employees compensation revolving fund.**—In all cases where any state department owes the Employees Compensation Revolving Fund created by Laws 1933, Chapter 161, for claims paid its employees and no direct appropriation is made therefor, such department shall reimburse said Revolving Fund from the funds available to it for supplies and expense.

**Sec. 40.** This act shall take effect and be in force from and after its passage.

Approved April 29, 1935.

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#### CHAPTER 392—S. F. No. 1689

*An act to appropriate money for the payment of claims against the state of Minnesota; to provide for tax and other refundments; to provide for the reimbursement and compensation of certain employees of the state having claims for personal injuries sustained or for loss or damage of property incurred while engaged in the performance of their duties and for the relief of dependents of certain employes of the state for the death of such employees while engaged in the performance of their duties; to provide for the reimbursement and compensation of persons for injuries sustained or for loss or damage to property by certain employees of the state while engaged in the performance of their duties; and by inmates of state institutions; and for relief of dependents of certain employees of the state while engaged in the performance of their duties; to provide for payments to certain persons for services performed to the state; to authorize the state auditor to cancel certain land and other contracts heretofore entered into by certain persons with the state and to credit payments heretofore made upon other purchases or to refund the same; to*

*reimburse certain persons for deeds to certain land erroneously conveyed by the state; to authorize the auditor to credit on certain land contracts the value of improvements found not to be on said land; to provide money for carrying on certain state activities as authorized by law; to authorize and direct certain claims to be paid out of the game and fish department funds; to authorize and direct certain claims to be paid out of the rural credits department funds and for other purposes, out of other funds, and reappropriating certain balances.*

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

**Section 1. Appropriation for miscellaneous claims.**—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 for the year ending June 30, 1935, unless otherwise specified.

Sec. 2. To reimburse Scott County Poultry Association, of Belle Plaine, Minnesota, for state aid for premiums paid in their show held November 11 to 13 inclusive, 1933 in the sum of . . . . . \$ 185.75

Sec. 3. To reimburse the following persons for compensation allowed delegates, under Section 14, Chapter 214, Laws 1933:

Margaret C. Banning, Duluth, Minn. . . . .	20.50
C. W. Bunn, St. Paul, Minnesota . . . . .	5.00
Victor E. Carlson, Northfield, Minn. . . . .	9.20
A. C. Welch, Glencoe, Minn. . . . .	10.80
Edwin L. Lindell, Minneapolis, Minn. . . . .	6.00
A. C. Weiss, Duluth, Minn. . . . .	20.50
Harry J. O'Brien, Brainerd, Minn. . . . .	18.20
Mrs. Silas M. Bryan, Minneapolis, Minn. . . . .	6.00
Laurence C. Hodgson, St. Paul, Minn. . . . .	5.00
Thomas Gratzek, St. Paul, Minn. . . . .	5.00
W. W. Nauth, Winona, Minn. . . . .	16.20
Richard T. Daly, Renville, Minn. . . . .	16.20
James F. Lynn, Waseca, Minn. . . . .	13.00
Fred Schilplin, St. Cloud, Minn. . . . .	12.50
Myrtle Harris, Minneapolis, Minn. . . . .	6.00
Fred A. Ossanna, Minneapolis, Minn. . . . .	6.00
George W. Lawson, St. Paul, Minn. . . . .	5.00
H. B. Hassenger, Duluth, Minn. . . . .	20.50
Nate V. Keller, Virginia, Minn. . . . .	26.70
W. E. Rowe, Crookston, Minn. . . . .	29.50
Jacob Ohlsen, Luverne, Minn. . . . .	27.40

Sec. 4. To reimburse Adelaid Speechley Evans for overpayment of inheritance tax in the estate of Emily Speechley Whiteacre, Deceased, of Ramsey County .....	62.13
Sec. 5. To reimburse School District No. 3, Aitkin county for overpayment of interest upon their loans obtained from the state .....	\$ 42.50
Sec. 6. To reimburse the estate of Robert D. Sprague, Deceased, of Houston County, for overpayment of inheritance tax .....	65.14
Sec. 7. To reimburse the heirs of Colton Russell, Deceased, of Hennepin County, Minnesota, for money deposited with the state on May 4, 1933 in the sum of .....	281.66
As per order of the District Court of Hennepin County, dated April 15, 1934.	
Sec. 8. To reimburse the Owatonna Finance Company of Owatonna, Minnesota, for fees paid to the Minnesota State Securities Commission, upon which the application for registration of sales of stock was dismissed by the said Securities Commission on June 2, 1933 .....	50.00
Sec. 9. To reimburse the F. W. Woolworth Company for amount deposited with the State of Minnesota covering twenty nursery inspection licenses, which were issued and cancelled by the department of Agriculture, Dairy and Food .....	\$ 100.00
Sec. 10. To reimburse Lars Lisell of Roseau, Minn., for improvements upon the South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$ ), of Section twenty-three (23), township one hundred sixty-one (161), range thirty-nine (39), which land was sold by the State Conservation Department on May 2, 1934 .....	20.25
Sec. 11. The State Auditor is hereby directed to cancel the amount of two hundred fifty-three dollars (\$253), being unpaid improvements on the Southwest quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$ ), of Section fourteen (14), township fifty-nine (59), range nineteen (19), as these improvements did not benefit the land purchased from the state of Mrs. A. E. Riggs of Brittemount, Minn.,	

that upon payment of remainder due the state for principal upon the land purchased, with interest thereon, the State Auditor is directed to issue a patent covering this land to Mrs. A. E. Riggs.

Sec. 12. To reimburse the County of Swift for overpayment of interest upon their loan dated August 16, 1913, for the construction of county ditch No. 12. This loan was paid in full on July 6, 1933. . . \$ 493.00

Sec. 13. To reimburse J. B. Dietz, Caroline Dietz and Josephine Sherman for the purchase of land deeded to the state of Minnesota for Sleepy Eye State Park, on July 7, 1923. . . . . 200.00

Sec. 14. To reimburse Fred P. Schaub, county surveyor, Pope County for resurvey of government Lot 1, of Section 16, Township 123, Range 36, including service of two chainmen, one rod man, and one axe man . . . . . 80.05

Sec. 15. To reimburse the following estates for inheritance taxes paid in estates where the decedent resided outside of the State of Minnesota, and held shares of capital stock in certain Minnesota corporations:

1. Bidwell, Adele E., State of Connecticut. . . . .	\$ 149.04
2. Birch, Mary Rand, State of New Jersey. . . . .	1,029.43
3. Davis, Charles, State of Massachusetts. . . . .	1,610.21
4. Denkmann, Frederick C., State of Illinois. . . . .	10,446.33
5. Dow, Emely S., State of New York. . . . .	549.26
6. Gallaher, Raphael E., State of New York. . . . .	129.57
7. Lusk, John S., State of Maryland. . . . .	158.95
8. Marvin, Gladys C., State of New York. . . . .	69.69
9. Nelson, William R., State of New York. . . . .	414.32
10. Palmer, Robert A., State of New York. . . . .	208.31
11. Radford, Chas. W., State of Wisconsin. . . . .	8,277.19
12. Schauffler, Julia B., State of New York. . . . .	27,093.47
13. Scott, Cora Helm, State of New York. . . . .	150.61
14. Squires, Grant, State of New York. . . . .	937.53
15. Taylor, Mary E., State of Minnesota. . . . .	470.85
16. Van Valzah, William W., State of New York. . . . .	414.47
17. Vose, Lillian B., State of Illinois. . . . .	1,923.98
18. Wickwire, Frederic R., State of New York. . . . .	1,137.27
19. Williams, William Henry, State of New York. . . . .	144.76
20. Monfort, Henry A., State of New York. . . . .	604.32
21. Thobro, Henry, State of Illinois. . . . .	96.96
22. Louisine W. Havenmeyer, State of New York. . . . .	4,418.77

23. Sarah A. Kedney, State of New Jersey . . . . .	1,475.18
24. John Morgan Brainerd, State of New York . . . . .	859.40
25. Laing, William F., State of New York . . . . .	475.02
26. Church, James A., State of New York . . . . .	255.34
27. Betts, Samuel R., State of New York . . . . .	407.92
28. Huiskamp, John E., State of New York . . . . .	408.01
29. Cochran, Gifford A., State of New York . . . . .	2,937.82
30. Haupt, Caroline Dean, State of California . . . . .	1,936.85

Sec. 16. To reimburse George B. Sykes and James W. Sykes, of Minneapolis, for monies deposited with the State of Minnesota on February 13, 1929, escheated in the matter of the estate of Joseph Healy, Deceased, Hennepin county, as per order of the Judge of the District Court, Hennepin County, dated January 18, 1935. . . . . \$ 8,771.02

Sec. 17. To reimburse the estate of John R. Mitchell, Deceased, of Hennepin county, for overpayment of inheritance taxes paid, as per affidavit and amended order of Manley L. Fosseen, Judge of the Probate Court, Hennepin County, dated February 23, 1935 . . . . . 346.55

Sec. 18. To reimburse the following persons for overpayment on stumpage permit, as per certificate of the Director of State Forestry, dated February 26, 1935:

Permit No. 4968 Simon Paul . . . . .	3.63
Permit No. 5014 E. W. Fairbanks . . . . .	18.75
Permit No. 5024 W. H. Harvey . . . . .	26.29
Permit No. 5040 Seman Produce Co. . . . .	11.71
Permit No. 5100 Gillis Bros. Co. . . . .	25.19

Sec. 19. To reimburse Horace C. Smoot for overpayment of interest upon the SE $\frac{1}{4}$  of Section 11-133-45 . . . . . 18.96

Sec. 20. To reimburse Patrick Griffin, sole heir of Daniel Sullivan, Deceased, covering escheated estate deposited in the State Treasury on October 2, 1929, as per determination of the District Court of Hennepin County, dated February 16, 1935. . . . . 1,370.95

Sec. 21. To reimburse the heirs of the estate of Hans P. Moger, Deceased, for inheritance taxes paid to the state of Minnesota through error of determination of Probate Court of Fillmore county . . . . . \$ 212.46

Sec. 22. To reimburse the Farmers and Merchants State Bank of Thief River Falls, Minn., for unpaid warrants issued by the Red Lake Drainage and Conservation Board on June 6, 1922.....	153.90
Sec. 23. To reimburse the heirs of Gottleib Gravunder, Deceased, of LeSueur county for money deposited with the state on March 4, 1920, as per order of the Judge of the District Court of LeSueur county, dated January 4, 1935.....	15,151.48
Sec. 24. To reimburse Harry N. Lamson of Effie, Minn., for cash payment of timber upon the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1-61-24, which timber was seized by the state before the purchaser could dispose of it.....	40.00
Sec. 25. To reimburse the heirs in the estate of Richard L'Estrange, Decedent, of Otter Tail county, as directed by the Judge of the District Court of Otter Tail County, dated March 23, 1923.....	\$ 1,622.31
Sec. 26. To reimburse O. H. Lentz, Minnesota Lake, Minn., for motor vehicle registration taxes erroneously paid to the Secretary of State.....	135.00
Sec. 27. To compensate George W. Jansa for injuries sustained while in the employ of the state at the Special Legislative Session of 1933.....	16.00
Sec. 28. To reimburse Emery W. Swenson of Foley, Minn., as refundment of filing fee erroneously paid the Secretary of State in 1934.....	50.00
Sec. 29. To reimburse Nick Nelson, Two Harbors, Minn., in refundment of filing fee erroneously paid the Secretary of State in 1934.....	10.00
Sec. 30. To reimburse Carl Engstrom of Elk River, Minn., in refundment of filing fee erroneously paid the Secretary of State in 1934.....	\$ 10.00
Sec. 31. To reimburse Minnie I. Blume, Worthington, Minn., for motor vehicle registration tax erroneously paid the Secretary of State.....	7.50
Sec. 32. To reimburse Arnold Gandrud for loss sustained by him in receiving filing fees of C. H. Jacobson, a congressional candidate.....	24.36

Sec. 33. To reimburse The Burgstor Brewing Company, a corporation, in refundment of money deposited with the Securities Commission in connection with the application to sell securities, which application was denied .....	500.00
Sec. 34. To reimburse Claude W. Lathrop for services rendered the Adjutant General October 13 to 20 inclusive, 1918, transporting member of the Home Guard to Kimberly, Minnesota. Warrant in payment of said claim was cancelled on March 21, 1920 .....	37.30
Sec. 35. The Minnesota Tax Commission is hereby authorized to credit and apply in offset against any royalty taxes hereafter found due from and payable by The Shenango Furnace Company under the provisions of Laws 1923, Chapter 226, as amended, the sum of Eight hundred twenty-five dollars (\$825.00), said amount representing an over-payment of royalty taxes by The Shenango Furnace Company upon royalties received by said company for the year 1931, the excessive tax thereon having been paid in the year 1932, because of the erroneous calculation of the amount of royalties received.	
Sec. 36. To reimburse Michael Lambrecht for filing fees erroneously paid the Secretary of State. . \$	50.00
Sec. 37. To compensate Lois Hanson for injuries sustained while attending the State Teachers' Collège at St. Cloud, said payment to be in full. . . . \$	250.00
Sec. 38. To reimburse the Gamble Clinic and the Naeve Hospital, both of Albert Lea, Minnesota, for surgical and hospital expenses incurred by reason of an emergency operation performed on Ila Wareheim, a state ward, said payment to be in full .....	\$ 100.00
Sec. 39. To reimburse School District No. 1, Koochiching County, Minnesota, for the purchase of timber on state land, the state auditor's permit therefor having been cancelled .....	\$ 79.45
Sec. 40. To reimburse M. E. King for damages to his automobile caused by an employe of the State Forestry Service, said amount to be paid out of the funds of the Forestry Division of the Conservation Department .....	\$ 12.50

Sec. 41. To compensate Almeda Hulbert for the death of her husband, Allan M. Hulbert, caused by the dangerous condition of a road on the grounds of the State Reformatory at St. Cloud.....	\$ 250.00
Sec. 42. To reimburse William Pogalz for medical and funeral expenses, arising out of the illness and death of Beverly Ternandt, a state ward .....	\$ 69.00
Sec. 43. To reimburse Ed Blazek for medical expenses, arising out of the illness of Marie Triemert, a state ward .....	189.05
Sec. 44. To reimburse Frank Chromy for services rendered in connection with the State Livestock Sanitary Board .....	200.00
Sec. 45. To reimburse Lee Keogh for loss of eight cattle, four of which were deceased when purchased from the Minnesota State School for the Deaf at Faribault.....	50.00
Sec. 46. To compensate Louis Thorvik for alleged wrongful imprisonment in the Minnesota State Prison, said Louis Thorvik having been pardoned upon establishment of his innocence.....	5,000.00
Sec. 47. To reimburse J. A. MacKillican for overpayment of royalty taxes erroneously paid the state as owner of a fractional leasehold mineral interest in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 1, 56-23, Itasca County .....	\$ 75.00
Sec. 48. To compensate Leo Funk for injuries sustained while a student at Winona State Teachers' College .....	\$ 1,500.00
Said sum, however, is to be paid to Guy E. Maxwell, President of Winona Teachers' College, or his successor in office, and is to be paid out by him, or his successor in office, for the maintenance and education of said Leo Funk in monthly payments as required.	
Sec. 49. To compensate E. H. Brown of Winona, Minnesota, for injuries sustained while in the employ of the Winona State Teachers' College..	\$ 78.00
Sec. 50. To compensate Etta Christiansen of Winona, Minnesota, for injuries sustained while in the employ of the Winona State Teachers' College..	\$ 50.00



Sec. 51. To reimburse J. E. Swartout, Jr., for license fee erroneously paid to Minnesota Railroad and Warehouse Commission for truck permit.....	\$	5.00
Sec. 52. To M. J. Ward and Harold Lewis in payment of labor performed by them in the construction of a bass rearing pond on ground leased by the Game and Fish Department of the State of Minnesota, at Lanesboro, Minn., said payment to be made out of the funds of the Game and Fish Commission .....	\$	394.00
Sec. 53. To reimburse A. J. Veigel for expenses incurred in defending law suits brought against him for acts performed in his official capacity as Commissioner of Banks.....	\$	481.00
Sec. 54. To reimburse John N. Peyton for expenses incurred in defending law suits brought against him for acts performed in his official capacity as Commissioner of Banks.....	\$	566.00
Sec. 55. To Frances M. Tanner, mother of Beverly Tanner, a minor, for personal injuries sustained by Beverly Tanner upon the state agricultural society grounds, said sum to be paid out of the State Agricultural Society funds, said amount to be payment in full.....	\$	100.00
Sec. 56. To compensate Briggs, Weyl, & Briggs for legal services and expenses in taxpayers' actions to have certain bonds executed by the Rural Credit Bureau declared void and to enjoin their sale and delivery thereof .....	\$	2,065.40
Sec. 57. To reimburse A. E. Forseth for damages to his crops by the negligent construction of the Division of Forestry of the Department of Conservation, said payment to be made out of the fire fighting funds of the Division of Forestry and Fire Prevention .....	\$	20.00
Sec. 58. To reimburse George E. Hall for labor performed for the Department of Agriculture, Dairy and Food, Produce Inspection Division, said payment to be in full.....	\$	100.00
Sec. 59. To reimburse Crow Wing County Agricultural Society for losses incurred in making settlement with the State of Minnesota on certain premiums .....	\$	300.29

Sec. 60. To compensate John H. Doyle for the death of his minor son, Leonard Joseph Doyle, resulting from injuries received which arose out of his employment with the State of Minnesota . . . . \$ 500.00

Sec. 61. To reimburse the United States government for federal property lost, stolen, damaged or destroyed during certain state emergencies in the years 1933 and 1934, said payment to be made to the United States Property and Disbursing Officer for Minnesota . . . . . \$ 3,888.00

Sec. 62. To reimburse the Riverton School District No. 45 for expenses incurred in providing school facilities for pupils from other districts . . . \$ 1,250.00

Sec. 63. To reimburse Fred Leer for labor performed for the University of Minnesota . . . . . \$ 13.50

Sec. 64. To reimburse Sidney M. Ellingson for financial and property damages sustained by him in that he was prevented from carrying out the provisions of a certain contract with the State of Minnesota, said payment to be made out of the Game and Fish Commission funds . . . . . \$ 900.00

Provided, however that the director of the Division of Game and Fish may refuse to pay such claim and in any action brought thereon shall be entitled to interpose any legal or equitable defenses thereto, and shall not be required to pay such claim nor any part thereof except as may be duly adjudged in said action, with the right of appeal as in other cases.

Sec. 65. To reimburse Louis Overland for damage to personal property caused by negligence of employees of the State Livestock Sanitary Board . . \$ 500.00

Sec. 66. To reimburse Lenus R. Olson, sheriff of Goodhue County, for damages to his automobile while pursuing and apprehending escaped inmates of the Minnesota State Training School . . . . . \$ 107.88

Sec. 67. To reimburse Alfred J. Buhl for the loss of seven cows and one horse as a result of negligence of an employe of the State of Minnesota . . . . . 200.00

Sec. 68. To reimburse the Medical Block Clinic of Red Wing, Minn., for medical expenses in the sum of \$50 to St. John's Hospital at Red Wing, Minn., for hospital services in the sum of \$43; to

P. H. Claydon, druggist at Red Wing, for drugs in the sum of \$32.50, all of which were furnished William Crowell, an inmate of the Minnesota State Training School at Red Wing, Minnesota..... 125.25

Sec. 69. To reimburse M. F. Donohue for fines remitted to the State Treasurer in 1920 in duplicate, while Mr. Donohue was a justice of the peace in Faribault ..... \$ 80.00

Sec. 70. To reimburse the State Emergency Relief Administration for certain moneys paid by it to the State Testing Mill..... 608.43

Sec. 71. To reimburse the following persons for moneys paid to the State of Minnesota for licenses to take rough fish in Lake St. Croix, which licenses were not exercised because of an order of the Commissioner of Game and Fish closing said Lake St. Croix to commercial fishing, said payments to be made out of the funds of the Game and Fish Division:

Harry Lorentson, \$57.50; N. A. Lind, \$5.25; Bert Spreeman, \$16.75; W. F. Miller, \$11.50; Emmet McLeer, \$15.50; Gustave Miller, \$15.50; Hub Miller, \$51 ..... 173.00

Provided, however that the director of the Division of Game and Fish may refuse to pay such claim and in any action brought thereon shall be entitled to interpose any legal or equitable defenses thereto, and shall not be required to pay such claim nor any part thereof except as may be duly adjudged in said action, with the right of appeal as in other cases.

Sec. 72. To compensate Archie A. Hubbard, formerly a member of Company F., 5th Infantry, Minnesota National Guard, Worthington, Minnesota, in full and final settlement for permanent disabilities resulting from an exposure while on military duty at International Falls.....\$ 750.00

Sec. 73. To reimburse Hubert Driessen for damages sustained on account of the construction by the Game and Fish Department of the State of Minnesota of a dam at the outlet of Little Birch Lake in Stearns County, Minnesota, said payment to be made out of the funds of the Game and Fish Division ..... 400.00

Sec. 74. To Elick Erickson for damages sustained on account of the construction by the Game and Fish Department of the State of Minnesota of a dam at the outlet of Little Birch Lake in Stearns County, Minnesota, said payment to be made out of the funds of the Game and Fish Division . . . . . \$ 400.00

Provided, however, that the director of the Division of Game and Fish may refuse to pay such claim and in any action brought thereon shall be entitled to interpose any legal or equitable defenses thereto, and shall not be required to pay such claim nor any part thereof except as may be duly adjudged in said action, with the right of appeal as in other cases.

Sec. 75. To reimburse Oscar A. Olson, Angus, Minnesota, for motor vehicle license fee erroneously paid the Secretary of State . . . . . \$ 5.00

Sec. 76. To reimburse Halmer F. Goeke for injury to cow caused by tuberculin test conducted by the Minnesota State Livestock Sanitary Board . . . \$ 24.97

Sec. 77. To compensate Kenneth Anderson of the town of New Canada, Ramsey County, Minnesota, for injuries, medical expenses and loss of tuition fees, sustained as a result of an accident while a student in the College of Agriculture . . . . \$ 100.00

Sec. 78. To reimburse Fredolph Swanson for damages to his automobile, said payment to be made out of the funds of the Game and Fish Division . . . \$ 16.00

Sec. 79. To reimburse the City of St. Paul in full payment of claim against the State of Minnesota for certain work done by said City in connection with the construction of the New State Office Building and the tunnel in connection therewith . . . . \$ 1,500.00

Sec. 80. To compensate Vern M. Cole in full payment for injuries sustained on July 30, 1934, while on duty as a member of Company M, 206th Infantry, Minnesota National Guard . . . . . \$ 1,558.20

Sec. 81. To compensate Sergeant Scott D. Cramer, a member of Company B., 135th Infantry, Aitkin, Minnesota, in full payment for injuries sustained while on duty as caretaker of the Aitkin Armory on March 16, 1934 . . . . . \$ 126.50

Sec. 82. To compensate Lornadeen Manning for injuries received by her while visiting Interstate Park at Taylors Falls, Minnesota, May 15, 1934 . . . \$ 250.00

Sec. 83. To reimburse Catherine C. Byrnes, widow of Emmet F. Byrnes for funeral expenses of said Emmet F. Byrnes, who was accidentally killed in line of duty in the service of the Minnesota National Guard at Minneapolis, Minnesota, August 21, 1934 . . . . . \$ 150.00

Sec. 84. To reimburse Helmer H. Ellingson of Perley, Minnesota, for license fee erroneously paid the Secretary of State . . . . . \$ 7.50

Sec. 85. To reimburse the following persons for damages to their property by flowage which resulted from the construction of a dam by the Isaac Walton League, said payments to be made out of the Game and Fish Division funds:

Gunnar Engbloom, \$600; August Bueitner, \$520; Charles T. Olson, \$400; and Ole Goranson, \$400 . . . . . \$ 1,920.00

Provided, however that the director of the Division of Game and Fish may refuse to pay such claim and in any action brought thereon shall be entitled to interpose any legal or equitable defenses thereto, and shall not be required to pay such claim nor any part thereof except as may be duly adjudged in said action, with the right of appeal as in other cases.

Sec. 86. To compensate Elsie Israelson, widow, and Audrey L. and Beverly M. Israelson, minor daughters of Alfred A. Israelson whose death resulted from a collision with a National Guard squad car on July 31, 1934, to be paid monthly to said widow on the first day of each month on the basis of \$12.00 per week for a total of 625 weeks for her benefit and the benefit of said children, not to exceed the total sum of \$7,500, plus \$150 funeral expense.

Provided, that the interest of said widow in said appropriation and payments shall cease upon her remarriage and shall not become a part of her estate upon her death; and in either event payment shall thereafter only be made to the duly appointed and qualified guardian of said children for the bene-

fit of said children. When there is no person having a beneficial interest in said appropriation and payments as hereinbefore provided, then said payments shall cease, and any moneys hereby appropriated and not paid out shall revert to the state treasury. The adjutant general is hereby charged with the duty of delivering the warrants for payment and ascertaining from time to time to whom and for whose benefit such payments shall be made.

Sec. 87. To compensate Edward Hollenick in full payment for disabilities resulting from an exposure while on duty as a member of the 109th Minnesota Aid Squadron.....\$ 900.00

Sec. 88. To compensate Mrs. Nellie Darkow mother of, and Lavaun, sister of Dwain L. Darkow, Private, Company "M", 205th Infantry, Minnesota, National Guard, who was killed in line of duty, to be paid monthly to Nellie Darkow on the first day of each month on the basis of \$7.27 per week, for a total of not to exceed 300 weeks, for her benefit and the benefit of said sister of decedent.....\$ 2,181.00

The beneficial interest of said sister in said payments upon such sister becoming 18 years of age. The interest of said mother in said payments and appropriation shall cease upon her remarriage, and shall not be a part of her estate in case of death. In case of the death or remarriage of said mother while decedent's sister continues to have a beneficial interest in said appropriation, payments shall then be made only to the duly appointed and qualified legal guardian of such sister. The amount of such payments shall remain the same regardless of the number of persons having beneficial interests therein; and such beneficial interest shall always be in equal shares. Such payments shall cease when there is no person having a beneficial interest therein as hereinbefore provided, and at such time any part of said appropriation not paid out shall revert to the state treasury. The adjutant general is hereby charged with the duty of delivering the warrants for payment and ascertain from time to time to whom and for whose benefit such payments shall be made.

Sec. 89. To compensate John J. Jacobson in full payment for injuries sustained as the result of an accident while in the service of the National Guard.\$ 375.00

Sec. 90. To reimburse the County of Clay, a Municipal Corporation of the State of Minnesota, for expenses incurred by said county in connection with the criminal trial of the officers, directors and members of the Executive Committee of the Northwest Bancorporation, in the County of Clay, and State of Minnesota .....\$ 1,340.29

Provided, that the sum of \$1,449.12 which is the balance now remaining in the fund appropriated by Chapter 32, Special Laws 1933 be reappropriated and added to the above amount of \$1,340.29, making a total of \$2,789.41 available therefor.

Sec. 91. To compensate Donald A. Winkler of Sauk Center, Minnesota, in full payment for injuries sustained while in the service of the Minnesota National Guard .....\$ 214.00

Sec. 92. To reimburse the Swords Brothers Company, a corporation of Rockford, Illinois, in refundment of fees erroneously paid the Secretary of State .....\$ 50.00

Sec. 93. To reimburse the Police Department, City of Minneapolis, in full payment for damages to squad car loaned to the National Guard of the State of Minnesota during the Minneapolis strike in the summer of 1934 .....\$ 372.40

Sec. 94. To reimburse Lawrence C. Strusz for fee erroneously paid to the state Railroad and Warehouse Commission .....\$ 5.00

Sec. 95. To compensate Lydia Wallin for the death of her husband, Carl Wallin, which resulted from a collision with a National Guard Squad car in Minneapolis, Minnesota, July 31, 1934, to be paid monthly to Lydia Wallin on the first day of each month on the basis of \$14.00 per week not to exceed the total sum of \$7500 for her benefit, plus \$150 funeral expenses. The interest of said wife in said payments and appropriation shall cease upon her remarriage, and shall not be a part of her estate in case of death. Any part of said appropriation not paid out shall revert to the state treasury. The adjutant general is hereby charged with the duty of delivering the warrants for payment.

Sec. 96. To reimburse School District No. 12 in Morrison County, Minnesota, as special school aid in addition to all other aid by reason of loss of revenue for land taken away from said school district by the military training camp at Camp Ripley, Minnesota, said amount to be paid out of the National Guard funds of the Adjutant General's office, at the rate of \$250 per year for the years, 1936 and 1937 .....\$ 500.00

Sec. 97. To the Tower-Soudan School District No. 9 in St. Louis County, Minnesota, as supplementary school aid which accrued in favor of said school district for the years 1928 to 1932, without prejudice to the right to make further claim .....\$10,000.00

Sec. 98. To compensate James Green for injuries sustained by him while in the performance of his duties as an employe of the Commissioner of Forestry and Fire Prevention while fighting forest fires on June 7, 1924, and to reimburse him for medical expenses incurred .....\$ 1,500.00

Sec. 99. State Auditor directed to make lease.—That on the payment of the sum that would be legally due upon State Mining Lease or Contract Number 700, covering the Southwest Quarter of Section 36, Township 63, North, of Range 15 West, with interest thereon at six per cent per annum from the date any such payments became due and payable to the date of payment thereof, said payments to be made by the owners of record of said Mining Lease or Contract, or their heirs or assigns, at the time of the taking effect of this act, the State Auditor is hereby authorized and directed to issue and deliver to the owner of said Mining Lease or Contract his certificate or statement evidencing payment of all sums due on said Mining Lease or Contract, and to reinstate said Mining Lease or Contract, in the proper records in his office, with the same force and effect as though no default had occurred on said Mining Lease or Contract, provided, however, that all the payments due and unpaid on said Mining Lease or Contract, if no default had occurred thereon, with interest on said unpaid sums, shall be made on or before December 31, 1936.

If it shall be held by the Court or by ruling of the Attorney General that the jurisdiction of said State Auditor over State Mining Leases or Contracts is no longer vested in said State Auditor, but is vested in the Conservation Commission of Minnesota, then the authority and duty herein vested in



said State Auditor shall be exercised by said Conservation Commission.

Sec. 100. Same.—That on the payment of the sum that would be legally due upon State Mining Lease or Contract No. 701, covering the Southeast Quarter of Sec. 36, Twp. 63, North of Range 15, West, with interest thereon at 6% per annum from the date any such payments became due and payable to the date of payment thereof, said payments to be made by the owners of record of said Mining Lease or Contract, or by their heirs or assigns or by any one of said owners of record at the time of the taking effect of this act, the State Auditor is hereby authorized and directed to issue and deliver to the owners of said Mining Lease or Contract, or their heirs or assigns, or to anyone of said owners, certificate or statement evidencing payment of all sums due on said Mining Lease or Contract, and to reinstate said Mining Lease or Contract in the proper records in his office, with the same force and effect as though no default had occurred; provided, however, that all payments due and unpaid on said Mining Lease or Contract if no default had occurred thereon with interest on said unpaid sums, shall be made on or before December 31, 1936; provided, further, that if anyone or more of said joint owners of said Mining Lease or Contract, shall make payment out of his own funds of the sum that would be due on said Mining Lease or Contract, together with all interest due thereon at the time said payment shall be made, said joint owner or owners of said Mining Lease or Contract, shall have an equitable lien on said Lease or Contract owned by the other owners of record thereon, with the right to enforce said equitable lien upon the interest of his co-owner or owners of said Mining Lease or Contract, which lien may be enforced by an action in equity in a proper court having jurisdiction in the same manner as other equitable liens upon lands are enforceable.

Sec. 101. Same.—That on the payment of the sum of \$454.00 on State Mining Lease or Contract Number 527, covering the Southeast Quarter of Sec. 16, Twp. 62, North, of Range 13 West, with interest thereon at six per cent from May 1, 1931, to the date of payment; and upon the payment of the further sum of \$454.00 on State Mining Lease or Contract Number 528, on the Southwest Quarter of said Sec. 16, in Twp. 62, North, of Range 13 West, with interest thereon at six per cent from May 1, 1931; said payments to be made by the owners of record of said Mining Leases or Contracts, or their assigns, at the time of the occurrence of existing defaults thereon, the State Auditor is hereby authorized and

directed to issue and to deliver to the owners of each of said Mining Leases or Contracts his certificate or statement evidencing payment of all sums due on each of said Mining Leases or Contracts, and to reinstate each of said Mining Leases or Contracts in the proper records in his office, with the same force and effect as though no default had occurred on either of said Mining Leases or Contracts. Provided, however, that all of the payments, due and unpaid on each of said Mining Leases or Contracts, if no default had occurred thereon, shall be made on or before December 31, 1936.

Sec. 102. This act shall take effect and be in force from and after its passage.

Approved April 29, 1935.

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#### CHAPTER 393—H. F. No. 126

*An act proposing an amendment to Article 8 of the Constitution of the State of Minnesota, to authorize the exchange of public lands of the state for lands of the United States and other privately owned lands as the legislature may provide.*

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

"Section 1. That the following amendment to Article 8 of the constitution of the State of Minnesota is hereby proposed to legal voters of this state for their approval or their rejection, which amendment when so approved shall constitute a new section and be known as Section 8, of said Article 8, and shall read as follows:

"Section 8. *Any of the public lands of the state, including lands held in trust for any purpose, may, with the approval of a commission consisting of the governor, the attorney general and the state auditor, be exchanged for lands of the United States and other privately owned lands as the legislature may provide, and the lands so acquired shall be subject to the trust, if any, to which the lands exchanged therefor were subject, and the state shall reserve all mineral and water power rights in lands so transferred by the state.*"

Sec. 2. The proposed amendment shall be submitted to the electors of this state for their approval or rejection at the general election for the year 1936, as is now provided by law for submission of amendments to the constitution of this State, and the secretary of state shall place this proposed amendment as No. 1 on the official ballot, and each of the