

inhabitants and containing not less than 16 nor more than 17 full and fractional congressional townships, not more than 2 'Off sale' licenses may be issued therein.

The license fees to be paid before the issuance of licenses shall be as follows:

(a) Any manufacturer, as herein defined, shall pay to the state, an annual license fee in the sum of \$2500.00, except that brewers of intoxicating malt beverages shall pay to the state an annual license fee of \$500.00, and except that a manufacturer of wines containing not more than 25 per cent of alcohol by weight shall pay to the state an annual license fee of \$250.00.

(b) Any wholesaler, as herein defined, shall pay to the state an annual license fee in the sum of \$2500.00, except that wholesalers of wine containing not more than 25 per cent of alcohol by weight and wholesalers of beer containing more than 3.2 per cent of alcohol by weight, shall pay to the state an annual license fee of \$250.00.

(c) The maximum license fee for an 'Off sale' license in the cities of the first class shall be the sum of \$250.00; in all cities and villages of over 10,000 population, except cities of the first class, the maximum license fee for an 'Off sale' license shall be \$200.00; in all cities and villages with a population between 5,000 and 10,000 the maximum license fee shall be \$150.00; in all cities, villages and boroughs of 5,000 population, or less, the maximum license fee shall be \$100.00. All such license fees for 'Off sale' licenses shall be payable to the municipalities issuing the license. Where such licenses shall be issued for less than one year, a fee may be a pro rata share of the annual license fee."

Approved April 26, 1937.

CHAPTER 479—H. F. No. 1473

An act to amend Laws 1929, Chapter 425, Section 15, relating to the inspection, analysis and standardization of gasoline, kerosene, furnace oils and petroleum products used, stored, held for the sale or sold within this state; regulating the sale and distribution thereof; providing for the enforcement of this act and prescribing penalties for the violation thereof; creating an oil inspection division and prescribing the powers and duties to the heads of such division.

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

Section 1. Law amended.—Laws 1929, Chapter 425, Section 15, is hereby amended so as to read as follows :

“Sec. 15. **Certified statement of chief oil inspector of oil inspected.**—On or before the fifteenth day of each month, the chief oil inspector shall cause to be mailed to each distributor a certified statement of the total amount due from such distributor for inspection fees for the preceding calendar month. Such statement may be combined with the statement of the excise tax on gasoline due from such distributor. There shall be noted upon the records of the chief oil inspector the date of the mailing of such statement which shall be conclusive evidence that the statement was mailed as required by this section. All payments of inspection fees shall be made to the chief oil inspector not later than the *twenty-fifth* day of the same month in which the statement was mailed, *Provided, however, that if any distributor shall fail, refuse, or neglect to promptly and faithfully perform the duties imposed upon him by law, or to make prompt reports, or to promptly pay when due all oil inspection fees, then in that event all accrued oil inspection fees shall forthwith become due and payable, and it shall be the duty of the chief oil inspector to certify the total amount thereof together with penalties and interest to the attorney general for collection as hereinafter provided.* All collections of inspection fees made by the chief oil inspector shall be paid to the state treasurer in the same manner as other department receipts are paid. All moneys collected hereunder shall be credited to the revenue fund.

If inspection fees are not paid within the prescribed period, a penalty of ten per cent of the amount thereof shall immediately accrue, and thereafter such amount and penalty shall bear interest at the rate of one per cent per month from the date of delinquency until paid.

On or before the twenty-fifth day of each month, the chief oil inspector shall deliver to the attorney general a certified statement of the amount due from each distributor for delinquent inspection fees and such other information as the attorney general may require. Upon receipt of such statement the attorney general shall bring an action in the district court of Ramsey County or of the county in which the distributor resides to recover the amount due, together with penalty, interest, costs and disbursements. No inspection shall be made for any distributor whose inspection fees have been certified to the attorney general.

On or before the tenth day of each month, the chief oil inspector shall certify to the state auditor the amount due to each of his deputies as compensation for the preceding month; also the items

and amounts of all expenses necessarily incurred by him in the performance of his duties, including the cost of blanks, stationery, postage, travel and instruments furnished for testing and branding oils and such salaries, and expenses being duly audited shall be paid by the state.

The chief oil inspector shall make an annual report to the Governor concerning the operations of his department."

Approved April 26, 1937.

CHAPTER 480—S. F. No. 1530

An act requesting and directing certain 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; to reimburse certain counties for the permanent construction and improvement of minor deviations of the trunk highway system; and authorizing the commissioner of highways to compromise, adjust, and settle any or all of the claims hereinafter designated; and authorizing an action or actions against the commissioner of highways for the recovery of the claims, or any thereof, hereinafter designated, upon the failure or refusal of the commissioner of highways to so pay, settle, adjust or compromise said claims or any thereof; the amounts, if any, to be paid not exceeding the amounts hereinafter specified.

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

Section 1. Permission to bring suit against State Highway Department for damages.—That the State of Minnesota hereby waives immunity from suit for any damages for personal injuries and property damaged, caused by the location, construction, reconstruction, improvement and maintenance of the trunk highway system.

Section 2. Must be brought within six months.—That said claimants may severally bring action against the State within six months from the date of enactment of this statute, notwithstanding any other statute of this State. Such actions shall be brought in the District Court in the county wherein such damage occurred. Service of summons shall be in accordance with Section 9230, Mason's Minnesota Statutes of 1927. In case a judgment is rendered against