

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

the State, the Commissioner of Highways is requested and directed, upon receiving receipt and discharge of such judgment in full, to pay to the judgment creditor the amount of such judgment.

Section 3. Commissioner of highways may settle claims.—The Commissioner of Highways is hereby authorized to pay, compromise, adjust or settle any or all of the respective claims herein referred to in any amount not to exceed the amounts respectively authorized herein out of the trunk highway fund if, in the opinion of the Attorney General, such payment or payments are not prohibited by the Constitution of the State of Minnesota.

Section 4. Claims.—The respective names of each of said claimants and the amounts of said respective claims are as follows, to-wit:

1. H. T. Swanson, reimbursement for damages to a portion of Section 20, Township 107, North, Range 7, Winona County, Minn., on account of construction and maintenance of Trunk Highway No. 3 across Gilmore Creek, and the flooding of the lands carried thereby....\$ 1,000.00

2. G. R. Kabat, reimbursement for damages to a portion of Section 20, Township 107, North, Range 7, Winona County, Minn., on account of construction and maintenance of Trunk Highway No. 3 across Gilmore Creek and the flooding of the lands carried thereby....\$ 300.00

3. Mrs. A. J. Wortman, reimbursement for damages to a portion of Section 20, in Township 107, North, Range 7, Winona County, Minn., on account of construction and maintenance of Trunk Highway No. 3 across Gilmore Creek and the flooding of the lands carried thereby\$ 300.00

4. G. H. Holmes, reimbursement for damages to a portion of Section 20 in Township 107 North, Range 7, Winona County, Minn., on account of construction and maintenance of Trunk Highway No. 3 across Gilmore Creek, and the flooding of the lands carried thereby....\$ 300.00

5. Mrs. Sam Kittle, reimbursement for damages to a portion of Section 20, in Township 107 North, Range 7, Winona County, Minn., on account of construction and maintenance of Trunk Highway No. 3 across Gilmore Creek, and the flooding of the lands carried thereby....\$ 1,000.00

6. Frank Lockwood, reimbursement for damages to a portion of Section 20, Township 107, North, Range 7, Winona County, Minn., on account of construction and maintenance of Trunk Highway No. 3 across Gilmore Creek, and the flooding of the lands carried thereby....\$ 60.00

7. Arthur H. Neitzke, reimbursement for damages to a portion of Section 20, Township 107, North, Range 7, Winona County, Minn., on account of construction and maintenance of Trunk Highway No. 3 across Gilmore Cr  ek, and the flooding of the lands carried thereby....\$ 50.00

8. Frank J. Nebb, reimbursement for damages to a portion of Section 20 in Township 107 North, Range 7, Winona County, Minn., on account of construction and maintenance of Trunk Highway No. 3 across Gilmore Creek, and the flooding of the lands carried thereby.....\$ 220.00

9. H. L. Kopp, reimbursement for damages to Lot 24 of the Subdivision of Section 20, in Township 107, North, Range 7, Winona County, Minn., on account of construction and maintenance of Trunk Highway No. 3 across Gilmore Creek, and the flooding of the lands carried thereby.\$ 6,390.00

Section 5. To reimburse the County of St. Louis 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, the same being a minor deviation of the permanent location made necessary for public safety and convenience and said portion being now a part of the permanent location of said Trunk Highway No. 169. The reimbursement only to be to the extent of the reasonable value of the improvement when same was taken over by the State Highway Department as a part of said Trunk Highway No. 169, but in no event to exceed the sum of\$46,000.00

Section 6. To reimburse Thomas O'Meara for damages to personal property by reason of the location for storage on his property of snow fences used in the maintenance of a trunk highway which fences were destroyed by fire on May 16, 1934\$ 400.00

Section 7. To reimburse Agnes Nygard for personal injuries sustained as the result of negligence of the State Highway Department\$ 7,500.00

Section 8. To reimburse Roy Nygard for personal injuries sustained and for property damage sustained as the result of the negligence of the State Highway Department\$ 3,150.00

Section 9. To reimburse Wayne Pittman for personal injuries sustained as the result of blasting operations of the State Highway Department\$ 5,000.00

Section 10. To reimburse Elsie Pittman for personal injuries sustained as the result of blasting operations of the State Highway Department\$ 7,500.00

Section 11. 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

Section 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

Section 13. To reimburse J. A. Taylor for damages to his building and premises caused by the overflowing of highway culverts on Trunk Highway No. 1, near Dundas, in June, 1936\$ 81.20

Section 14. To reimburse Albert Guillmette and Elmer G. Guillmette for damages caused by the negligent spreading of calcium chloride and its mixtures on premises of Albert Guillmette and Elmer G. Guillmette in Red Lake County, by employees of the State Highway Department which resulted in the poisoning and death of five milk cows owned by the said Albert Guillmette and Elmer G. Guillmette\$- 407.00

Section 15. 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 portion consisting of one block of paving, and being a *minor deviation of the original permanent location* and now comprising part of the permanent location of Trunk Highway No. 29, the plans and specifications of said improved portion having been approved by the Commissioner of Highways prior to the construction thereof. The 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

Section 16. To compensate Mary Lundberg for damages sustained by her to her business, which was caused

by the blocking of means of ingress and egress to her premises as a result of the location, construction reconstruction, and maintenance of Trunk Highway No. 61, said payment to be made by the said Commissioner upon the receipt by him of a good and sufficient release in full from said claimant\$ 1,000.00

Section 17. To compensate Byron M. Miller for damages to a motor vehicle incurred on June 8, 1933, when a tree previously injured by lightning, standing within the limits of trunk highway No. 21 and about 3½ miles northwest of Faribault, Minnesota, fell across the travelled portion of said highway and upon and against his motor vehicle travelling thereon whereby said motor vehicle was damaged\$ 150.00

Section 18. To reimburse Peter Diederik for damages to his motor vehicle incurred on December 16, 1935, between Faribault and Owatonna, Minnesota, while crossing a bridge just north of Medford, wherein a man employed on said bridge dropped a bolthead which caused damages to the motor vehicle of said Peter Diederik.... 19.65

Section 19. To reimburse Edgar F. McCullough for damages to his meadow and hay crop on account of the construction and maintenance of a culvert on state highway No. 21 near Faribault, Minnesota, said damages incurred in the month of April, 1934 300.00

Section 20. To reimburse John A. Scholz and Helen Scholz for damages suffered by a fire claimed to be due to the negligence of employees of the Highway Department\$ 1,000.00

Section 21. To reimburse James H. McGinnis for damages sustained while riding in a motor vehicle which collided with a sand pile left on Highway No. 7..... 150.00

Section 22. To reimburse Bruce Warren for personal injuries and for damages to his car which collided with a sand pile left on Highway No. 7..... 810.00

Section 23. To reimburse Ralph Flack for personal injuries received when riding in a car which collided with a sand pile left on Highway No. 7..... 735.00

Section 24. To reimburse Helen Olson for personal injuries sustained by reason of a collision with a motor vehicle operated by a member of the State Highway Patrol 7,500.00

Section 25. To reimburse Peter Anton Olson for the death of his wife, Amelia Olson, and for personal injuries sustained by reason of a collision of a motor vehicle operated by a member of the State Highway Patrol. 12,300.00

Section 26. This act shall take effect and be in force from and after its passage.

Approved April 26, 1937.

CHAPTER 481—H. F. No. 1704

An act to amend Chapter 21-B Mason's Minnesota Statutes for 1927, as amended by the Laws of 1931, Chapter 404, and the Laws of 1933; Chapter 408, Section 3996-2, Subsection 4; Section 3996-10 relating to agent's license and providing for blanket bonds or deposits of or by brokers, dealers and issuers; Section 3996-15 relating to advertising matter; Section 3996-30 relating to labels and notices on advertising material and securities, all relating to the regulation of sales and purchases and attempted sales and purchases within the State of Minnesota of stocks, bonds, notes, and other securities and agreements.

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

Section 1. **Law repealed.**—Mason's Minnesota Statutes for 1927, Section 3996-2, subsection 4, is hereby amended to read as follows:

Section 2. **Law amended.**—Mason's Minnesota Statutes for 1927, Section 3996-10, is hereby amended to read as follows:

"3996-10. Agents must be licensed.—No agent shall sell any securities unless or until he shall have been licensed as hereinafter required; provided that this section shall not apply to an agent of an issuer selling securities exempted under Section 2 of this Act, or selling securities in a manner exempted under Section 3 of this Act. No agent shall be issued a license under this act until he shall have resided in this state for one year *immediately* prior to making his application. Before any license shall be issued to an agent, other than an agent of a registered broker, he shall file a surety bond of such an amount as may be approved by the Commission for the benefit of the public, *or any dealer or issuer may file a surety blanket bond covering all of its licensed agents, or may deposit in and with a depository acceptable to and approved by the Commissioner*