

CHAPTER 539—S. F. No. 1424

An act providing for determination and payment of certain claims out of the trunk highway fund or funds accredited thereto from highway patrol fines or other sources.

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

Section 1. Waiver of state of immunity from damages.—The State of Minnesota hereby waives immunity from suit for any damages for personal injuries or property damage caused by the location, relocation, construction, reconstruction, improvement, maintenance and supervision of the trunk highway system to the claimants and in the amounts hereinafter designated.

Sec. 2. Claimants may bring action.—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 action 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 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 the judgment creditor the amount of such judgment out of the trunk highway fund or out of funds accredited thereto from highway patrol fines or other sources.

Sec. 3. Commissioner may pay or compromise suits.—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 or out of funds accredited thereto from highway patrol fines or other sources.

Sec. 4. Claimants.—The respective names of each of said claimants and the amount of said respective claims are as follows, to-wit:

1. Gilbert S. Arneson and Lina Arneson, reimbursement for damages to land and crops caused by the construction of trunk highway No. 17 in Yellow Medicine County, Minnesota.....\$ 1,500.00
2. Adolph Ruth, reimbursement for damages to land and buildings caused by the construction and maintenance of trunk highways no. 53 and 94 in St. Louis County, Minnesota.....\$ 5,000.00

3. Otto Linder, reimbursement for damages to land and crops caused by the construction of trunk highway no. 11 in Roseau County, Minnesota.....\$	337.00
4. Peter Meyers, reimbursement for damages to land and crops caused by the construction of trunk highway no. 11 in Roseau County, Minnesota.....	180.00
5. Colbern Hvidsten and Lenus Landby, as owner and tenant, reimbursement for damages to land and crops caused by the construction of trunk highway no. 11 in Roseau, County, Minnesota.....	312.00
6. F. E. Donaldson, reimbursement for damages caused to, and the loss of, personal effects, livestock and real estate, by flooding of the same in the spring of 1938, due to construction of trunk highway no. 47 in Pipestone County, Minnesota.....	1,000.00
7. C. H. Donaldson, reimbursement for damages caused to, and the loss of, personal effects, livestock and real estate, by flooding of the same in the spring of 1938, due to construction of trunk highway no. 47 in Pipestone County, Minnesota.....	1,000.00
8. Henry Wiggins, reimbursement for damages caused to, and the loss of, personal effects, livestock and real estate, by flooding of the same in the spring of 1938, due to construction of trunk highway no. 47 in Pipestone County, Minnesota.....	1,200.00
9. Joseph Johnson, reimbursement for damages caused to, and the loss of, personal effects, livestock and real estate, by flooding of the same in the spring of 1938, due to construction of trunk highway no. 47 in Pipestone County, Minnesota.....	500.00
10. Joseph Johnson, reimbursement for damages to his personal property caused by the erecting and maintaining of snow fences on his land, resulting in the death of a cow.....	75.00
11. To reimburse the following persons for damages sustained as the result of delays in payment of partial estimates by the Department of Highways in the following amounts:	
Ulland Brothers	\$ 263.57
John Dieseth Company.....	170.39
John Dieseth Company, Joe Mirau and R. C. Jones	74.46
L. M. Feller Company.....	339.72

Fielding and Shepley, Inc.....	484.71
McCree and Company and Phillippi Brothers, Inc.	1,385.27
Whitmas and Borg.....	924.10

12. C. L. Nelson Company and R. C. Jones, reimbursement for damages suffered due to failure of Department of Highways to deliver road oil on agreed dates, in connection with a highway maintenance contract..... 2,011.50

13. Allen N. Underhill, damages for personal injuries resulting from an explosion and fire negligently caused by employees of the State Highway Department 5,000.00

14. Hans Solberg and his wife, Lena Solberg, reimbursement for damages sustained, including hospital, nursing, and medical expenses occasioned by injuries received incidental to an automobile accident in December, 1939..... 1,475.00

15. To reimburse Joe Billman for the death of his daughter, Eunice Billman, by reason of the negligence of the Highway Department in the maintenance and repair of State Trunk Highway No. 6 10,000.00

16. Permission is hereby granted Arthur Teske to institute and maintain in the Industrial Commission a proceeding for allowance of compensation to compensate him for burns, disfigurement and physical injuries, suffered by him as a result of being injured in 1932 while employed by the Highway Department, notwithstanding the entry of an award thereupon previously made and the running of the statute of limitations. The Commissioner of Highways is directed to pay out of highway funds the amount of any such award.

Approved April 28, 1941.

CHAPTER 540—H. F. No. 220

An act legalizing and validating adoption proceedings heretofore had pursuant to Mason's Minnesota Statutes of 1927, Sections 8624 to 8634, inclusive, where notice was not given as required by law.

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