

Sec. 12. To reimburse Minnesota Sand and Gravel Company for delivering to and use by the Department of Highways of gravel in excess of purchase order 301.77

Sec. 13. To reimburse Charles Boyd for all past use of real property as a stock pile site by Department of Highways..... 50.00

Sec. 14. To reimburse Chicago, Milwaukee, Saint Paul and Pacific Railroad Company for making repairs at the request of the Department of Highways in 1944, to overhead bridge No. 3895 on Trunk Highway No. 41..... 107.59

Approved April 23, 1945.

CHAPTER 612—H. F. No. 1405

An act providing for the determination and payment of certain claims against the state arising out of the location, construction, reconstruction, improvement, and maintenance of the trunk highway system and appropriating money out of the trunk highway fund or funds accredited thereto from highway patrol fines or other sources therefor.

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

Section. 1. **Claimants may bring action against state.** Any of the persons, firms, or corporations hereinafter named, having submitted claims for damages to the Legislature prior to the passage of this act, or their heirs, representatives, successors, and assigns, may bring an action against the State upon such claim for damages alleged to have been caused by the location, construction, reconstruction, improvement and maintenance of the trunk highway system in the district court of any county wherein any part of the claim arose, subject to the conditions and limitations herein prescribed; provided that every such action shall be commenced within six months after the passage of this act.

Sec. 2. **Process served on attorney general.** The summons and complaint in every such action shall be served on the attorney general who shall defend the action.

Sec. 3. **Heard as other civil actions.** All such actions shall be commenced, tried and determined as other civil ac-

tions and shall be subject to all applicable laws and rules. In the event a judgment is rendered against the state, the commissioner of highways is requested and directed upon receiving properly executed receipt and discharge 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; provided that the amount of the judgment entered in any case shall not exceed the amount of such claim as hereinafter specified; and provided further, that such judgments shall be payable only from appropriations therefor, as herein provided.

Sec. 4. Certain claims to be settled by commissioner of highways. 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 funds accredited thereto from highway patrol fines or other sources.

Sec. 5. Appropriation to pay claims. In addition to all other sums appropriated herein, there is hereby appropriated out of the trunk highway fund or funds accredited thereto, from highway patrol fines or other sources; such sums of money as may be necessary to expend in the defense, settlement or compromise of any of the claims enumerated herein.

Sec. 6. Payment of claims. There is hereby appropriated out of the trunk highway fund or funds accredited thereto from highway patrol fines or other sources such sums as may be necessary to pay any of the claims as herein provided.

Sec. 7. Claims. The names of the claimants, the general nature of each claim, and the amounts thereof are respectively as follows:

- a. F. W. Hutchinson in reimbursement of damages to property arising out of the construction and maintenance of Trunk Highway No. 73 in St. Louis County\$ 900.00
- b. Edwin Peterson in reimbursement of damages to property caused by the construction and maintenance of Trunk Highway No. 31 in Norman County 1,500.00

- c. W. H. Tamke in reimbursement of damage to property caused by the construction and maintenance of Trunk Highway No. 31 in Norman County 700.00
- d. Rudy L. Peterson in reimbursement of damages to property caused by the construction and maintenance of Trunk Highway No. 31 in Norman County 750.00
- e. E. D. Ogard and A. E. Ogard in reimbursement of damages to property caused by the construction and maintenance of Trunk Highway No. 31 in Norman County..... 300.00
- f. Louis Gragert and Maurice Underland in reimbursement of damages to property caused by the construction and maintenance of Trunk Highway No. 31 in Norman County..... 850.00
- g. John H. Oversea in reimbursement of damages caused to real and personal property arising out of the construction and maintenance of Trunk Highway No. 92 in Clearwater County..... 460.00
- h. George Sycks in reimbursement of damages to real and personal property caused by construction and maintenance of Trunk Highway No. 371 in Cass County..... 300.00

Approved April 23, 1945.

CHAPTER 613—H. F. No. 1410

An act relating to counties; and fixing tax levies for road and bridge purposes in certain counties.

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

Section 1. Tax levy for road and bridge fund. The County Board of any county, having a population of not less than 60,000 and not more than 100,000, may include in its annual tax levies an amount not to exceed 15 mills on the dollar, of the taxable valuation of the county, for the road and bridge fund of such county, for the years 1946 and 1947.

Approved April 23, 1945.