

under authority of Section 1, Subdivision 5, of this act. The proceeds of the taxes levied by this section shall be deposited in the state treasury and credited to the supplementary bond account in the veterans compensation fund and are pledged to and appropriated for the payment of the bonds or certificates of indebtedness issued under authority of this act and the interest thereon. The taxes imposed by this act shall not be reduced or modified in any manner before the payment in full of all bonds or certificates of indebtedness issued under this act, together with the interest thereon. Any balance in said account, after all of said bonds or certificates of indebtedness and the interest thereon shall have been paid, shall be transferred to the general revenue fund and the state auditor and state treasurer are hereby directed to make the appropriate entries thereof on their accounts.

Approved April 23, 1951.

CHAPTER 718—H. F. No. 1744

[Not Coded]

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 reimbursement and compensation of certain employees of the state having claims for personal injuries or for loss or damage of property incurred while employees were engaged in the performance of their duties and for the relief of dependents of certain employees 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 to provide payments to certain persons for services performed in 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 same; to provide money for carrying on certain state activities as authorized by law; to authorize and direct certain claims to be paid out of game and fish funds; to authorize and direct certain claims to be paid out of department of ag-

riculture funds; to authorize and direct certain claims to be paid out of gas tax refunds account; permitting suits against the State of Minnesota in certain cases; authorizing establishment of commissions to investigate certain claims and to compromise or settle such claims; and reappropriating certain balances; and for other purposes.

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

Section 1. Miscellaneous claims; appropriations. 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, 1951, unless otherwise specified:

Section 2. To reimburse Fred G. Grauel of Mora, Minnesota, in payment of a Minnesota Soldiers' Bonus, World War I.\$ 210.00

Section 3. To reimburse Indianhead Truck Line, Inc., 1670 Roblyn Ave., St. Paul, Minnesota, as a refund for gasoline taxes paid the State of Minnesota, as the result of loss due to spillage of 1,286 gallons of gasoline\$ 62.35

Above payment to be made out of gas tax refunds account.

Section 4. To reimburse Baker's Mobile Service, Stewartville, Minn., as a refund for gasoline taxes paid the State of Minnesota, as the result of loss due to a leaky storage tank.\$ 109.95

Above payment to be made out of gas tax refunds account.

Section 5. To Arthur D. Way of Deer Creek, Minn., in payment of judgment for escheated bank deposits to be paid upon delivery to the Attorney General of a satisfaction of judgment approved by him\$ 3,307.97

Section 6. To Ernest J. Duel, 809 Starkweather Road, Rockford, Ill., in payment of judg-

ment for escheated bank deposits to be paid upon delivery to the Attorney General of satisfaction of judgment approved by him\$ 768.71

Section 7. To reimburse the following agricultural societies and poultry associations for premiums paid, which societies and associations did not properly qualify in time to receive aid as provided by law:

Southwestern Minnesota Poultry Association,
Rochester, Olmsted County\$ 146.25

Otter Tail County Poultry Society and Fair Association 663.75

Beltrami County Agricultural Association 163.00

Section 8. To reimburse the following for filing fees erroneously paid the Secretary of State:

Julius A. Schmahl, 536 Portland Ave., St. Paul\$ 40.00

Arch Campbell, Mankato 40.00

John N. Nelson, St. Paul 40.00

Terrance O'Toole, St. Paul 40.00

Section 9. To reimburse Robb Bros. Yard at Winona, Minnesota, for demurrage charges paid by them on seven cars of coal delivered to the Winona State Teachers' College\$ 105.00

Section 10. To reimburse the following persons for loss of personal property while in line of duty at the Anoka State Hospital at Anoka, Minnesota:

Constance Alman\$ 5.25

Herman H. Danner 25.00

Gladys Aubart 23.00

Anna Martin 13.50

Alice Packer	29.25
Lois D. French	10.00
K. Baares	5.95

Section 11. To reimburse the following for unsold hunting, fishing and trapping licenses, for the years 1946, 1947, 1948, and 1949, such reimbursement to be made out of Game and Fish Department funds:

Ray F. Johnson	\$ 21.15
C. E. Schmid	36.00
Walter H. Borgen	56.70
M. E. Corcoran	14.40
William Lincoln	40.50
A. J. Gloege	31.50
G. G. B. Dennewith	5.52
P. L. Hintzen	28.80
Geo. L. Swanson	9.00
L. C. Peterson	9.00
Frank Ramler	36.90
A. D. Johnson	4.50
E. P. Ekholm	3.60
D. E. Crist	1.84
Robert Fitzsimmons	107.55
S. W. Hardware	13.80
Albin H. Andalshek	8.28
Ray E. Jewett	54.00

Section 12. To compensate William H. Montague, Crookston, Minn., for the payment of services as a court reporter for the referee appointed by the Supreme Court of the State of Minnesota to take evidence in quo warranto proceedings in State ex

rel Hilda Danielson et al versus The Village of Mound et al	\$ 89.55
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Section 13. To compensate the following persons in payment for services performed at the state capitol building between August 8 and November 30, 1949:

O. N. Rygg, 665 Magnolia Ave., St. Paul	\$ 25.20
M. J. Rygg, 1581 E. Ivy St., St. Paul	16.32
Gust Thorud, 1235 Edgerton St., St. Paul	25.20
E. O. Anderson, 883 LaFond St., St. Paul	15.36

Section 14. To reimburse Edward L. Rodgers, Walker, Minn., for expenses incurred while attending a meeting of the Interstate Indian Council in Utah as a representative of the State of Minnesota \$ 176.25

Section 15. To reimburse Mrs. Clinton J. Hackett, Chisholm, Minn., as refundment of license fee paid the Railroad and Warehouse Commission but not used\$ 50.00

Section 16. To reimburse Rudd Brothers Ruthton, Minn., as refundment for gasoline taxes paid the State of Minnesota, as the result of leakage in a storage tank, causing loss of gasoline.\$ 105.00

Above payment to be made out of gas tax refunds account.

Section 17. To compensate the following Minnesota National Guard personnel in payment in the following amounts for firing and armory drills:

First Lt. John A. Anderson, 257 AAA Aw Battalion, Brook Park, Minn.	\$ 329.82
Capt. Martin G. Brammer, Chaplain 136th Inf. Reg., St. Cloud, Minn.	137.88
Second Lt. Wayne J. Kuesel, Headquarters 136th Inf., Riverroad No., St. Cloud	382.80
Second Lt. Clayton E. Erickson, 204th Med. Bat- talion, 551 Newton Ave., No., Minneapolis	119.70

Mast. Sgt. Wallace L. Mead, Batt. B., 125th FABN	384.59
Second Lt. Carl P. Boening, Battery C., 175th Field Artillery Battalion	447.30
Second Lt. John M. Neal, Headquarters 47th Inf. Div.	591.33
Capt. Hilbert G. Floren, Co. C, 682nd Combat Engi- neer Battalion	563.92
Second Lt. Donald G. Nordlie, Co. "I", 135th Inf., MNG	192.15
Captain Armand Nordgren, Chaplain, 136th Inf. Reg.	440.45

Section 18. To compensate Henry M. Mar-
guard, St. Paul, Minn., in payment of a World War
I Soldiers' Bonus\$ 195.00

Section 19. To reimburse West Central Coop-
eratives, Benson, Minnesota, as a refund for gaso-
line taxes paid the State of Minnesota, as a result of
a loss due to leakage at a bulk storage tank\$ 253.90

Above payment to be made out of gas tax re-
funds account.

Section 20. To reimburse the heirs of August
Hendrickson, deceased, as repayment of the amount
escheated to the State of Minnesota from said de-
pendent's estate, such reimbursement to be made
upon the amended final decree of distribution of
the Aitkin County Probate Court dated February
8, 1950, subject to approval of the Attorney General
of Minnesota\$ 4,596.38

Section 21. To reimburse the Great Lakes
Refractory Co., 4928-35th Ave., So., Minneapolis 17,
Minn., for repair work done on three boilers for the
109th Squadron at Holman Field, St. Paul\$ 375.00

Section 22. To reimburse Ramaley Printing
Company, St. Paul, for services rendered the 1949
Legislature of the State of Minnesota\$ 1,106.96

Section 23. To reimburse E. W. Brown, 1625
Hartford Ave., St. Paul, for damages to his auto-

mobile caused by a collision with a National Guard truck\$ 167.55

Section 24. To reimburse Vern C. Boeke, Owatonna, Minn., as reimbursement for damages due to the negligence of an employee of the Owatonna State School\$ 30.40

Section 25. To reimburse the U. S. Government Postoffice at Faribault, Minn., for damages to a mail truck due to the negligence of an employee of the Minnesota Braille and Sight Saving School, Faribault\$ 8.00

Section 26. To reimburse Kurt Drevlow, Faribault, Minn., for damages to his automobile due to the negligence of an employee of the State School and Colony at Faribault\$ 85.00

Section 27. To reimburse Bruce P. Smith, Faribault, Minn., for movie films loaned to National Guard and not returned\$ 450.00

Section 28. To reimburse the City of Faribault, Minn., for the construction of 146.25 feet of sanitary sewer in State Ave., north of Barron Road and 404.58 feet of sanitary sewer in Barron Road from State Avenue to Ninth Ave., Southeast, all in Faribault, Minn.\$ 1,121.54

Section 29. To reimburse M. E. Krafve, Faribault, for damages to his automobile due to the negligence of an employee of the Minnesota School and Colony of Faribault\$ 37.00

Section 30. To reimburse Mrs. George Wheeler of Faribault, for damages to her automobile due to negligence of a state employee\$ 25.45

Section 31. To reimburse Beltrami-Marshall Joint School District No. 79, for its proportionate share of appropriation made by Laws 1949, Chapter 648, said district having failed to qualify in time to receive its pro rata share\$ 2,812.20

Section 32. To reimburse the County of Roseau, Minnesota, in full, for drainage assessments against state lands pursuant to M. S. 1949, Sec. 106.381\$19,612.95

Of the above amount, the sum of \$18,423.35 shall be paid out of the Consolidated Conservation Areas Fund and \$1,189.60 out of the General Revenue Fund.

Section 33. To reimburse Delbert E. Lindseth, Bemidji, Minn., for damages to his automobile by reason of the negligence of a state employee\$ 61.15

Section 34. To reimburse Charles Sallee, Shevlin, Minn., for damages to his automobile due to the negligence of a state employee\$ 50.00

Section 35. To reimburse the Smith-Sharpe Company of Minneapolis, for work done and material furnished in the repair and improvement of the Moose Lake State Hospital\$ 4,329.60

Section 36. To reimburse Claude Skeldon, 5108-30th Ave. So., Minneapolis, for damages to his automobile by reason of a member of the National Guard's negligence\$ 86.95

Section 37. To reimburse Ernest L. Nelson of Clarks Grove, Minn., for legal services to correct an error made by the Conservator of Rural Credit\$ 164.95

Section 38. To compensate Lawrence Daley and Fern Daley of Red Wing, Minnesota, for medical expenses and personal injuries sustained January 24, 1946, when assaulted and beaten by a parolee of the State Training School at Red Wing\$ 535.00

Section 39. To reimburse Earl O. Snyder, Rice Lake, Wisconsin, for damages to his automobile due to the negligence of a member of the National Guard\$ 40.00

Section 40. To reimburse Myron J. Schultz, Morris, Minn., in refundment of gasoline taxes paid

the State of Minnesota, as the result of loss of 9,605 gallons of gasoline due to a leaky storage tank\$ 384.20

Above payment to be made out of gas tax refunds account.

Section 41. To reimburse Eugene W. Spika, 7332 Girard Ave., So., Minneapolis, for damages to his automobile due to the negligence of a member of the National Guard\$ 46.00

Section 42. To reimburse the following persons for damages to property as the result of negligence of employees of the Department of Agriculture in line of duty while carrying on aerial spraying of crops in Winona County on June 13, 1951:

Elmer Obitz, 740-41st Ave., Goodview, Winona	\$ 110.66
H. M. Englund, 4325-6th St., Winona	12.00
Charles B. Searle, Winona	202.50
Harry Malinke, 506 E. 10th St., Winona	132.50
Mrs. George W. Jessen, 268 E. Mark, Apartment 9, Winona, Minnesota	75.00
Charles Nelton, Winona	4,134.30
Howard Nelton, R. 19, Winona	110.00
Mrs. Kenneth Smith, 667 Wilson St., Winona	194.30
Ervin Ebert, 1602 W. 7th St., Winona	25.00

Section 43. To reimburse Emil Hendrickson, Brainerd, for damages to his automobile due to negligence of a state employee\$ 90.68

Section 44. To reimburse the Polaris Concrete Products Company, Duluth, Minn., due to damages to its automobile as the result of the negligence of a member of the National Guard\$ 359.30.

Section 45. To reimburse Cecil Collins, St. Paul, for damages to his automobile due to the negligence of an employee of the Income Tax Division\$ 70.65

Section 46.. To reimburse Laurence Lindberg of Roseau, Minn., in refundment of a timber permit not used	\$	90.30
Section 47. To reimburse the Village of Warroad, Minnesota, for a special assessment against property of the Conservation Department, State of Minnesota, by the construction of a sewer main and water main on Fourth Avenue	\$	529.50
Section 48. To reimburse William J. Reynolds, St. Cloud, Minn., for damages to his automobile due to the negligence of an employee of the Grain Inspection Department of the Railroad and Warehouse Commission	\$	33.00
Section 49. To reimburse Forrest F. Foss for loss of wages as an ore weigher for the Division of Lands and Minerals, from August 1, 1942, to June 10, 1946, while on leave serving in the United States Army	\$	178.29
Section 50. To reimburse Thornley-Oswald Publishing Co., New Ulm, Minn., for damages to their automobile due to the negligence of an employee of the National Guard	\$	142.70
Section 51. To reimburse Mrs. Alvera Bruns, Redwood Falls, Minn., for medicinal supplies purchased by her in an effort to cure her tuberculosis, contracted while working in the Minnesota State Sanatorium at Walker	\$	392.00
Section 52. To reimburse the City of Duluth for labor and materials furnished in making a sewer connection to serve the Railroad and Warehouse Commission property at Lots 136 and 138, Block 39, Rice's Point Division	\$	75.68
Section 53. To reimburse Helen T. Sime for attorney's fees, State Ex. Rel. Helen Sime, vs Pennebaker	\$	350.00
Section 54. To compensate Louis Boucher for disability suffered by reason of his contracting		

tuberculosis while employed at the Feeble Minded School at Faribault, to be paid in the following manner: \$90.00 per month for two years, beginning May 1, 1951, such monthly compensation to be paid said Louis Boucher on the first day of each month thereafter. The director of the Division of Public Institutions is hereby charged with the duty of delivering the warrants for payment 2,160.00

Section 55. To reimburse Mordy Morrison of Goodridge, Minnesota, for loss of indemnity for a calf tested for Bang's Disease\$ 175.00

Section 56. To reimburse Dr. Laurence G. Cutlan, Minneapolis, for damages to his airplane due to the negligence of a member of the National Guard \$ 189.20

Section 57. To compensate Ed. Hanson for personal injuries suffered while an inmate of the State Prison\$ 500.00

Section 58. To reimburse the City of Austin, Minnesota, for costs incurred in maintaining Horace Austin State Park during 1950\$ 469.78

Section 59. To compensate Lloyd Hilborne, Mizpah, Minnesota, for injuries sustained while an employee of the Division of Forestry of the State of Minnesota, such payment to be paid in the following manner: \$13.50 per week, starting May 1, 1951, such weekly compensation to be paid said Lloyd Hilborne on the first day of each month, until he reaches his 65th birthday. The Director of the Division of Forestry is hereby charged with the duty of delivering the warrants for payment\$ 9,828.00

Section 60. To reimburse Robert F. Ward for damages to his automobile due to the negligence of a member of the National Guard\$ 397.25

Section 61. To reimburse Glen McMurtry, Welcome, Minnesota, for loss of indemnity for a cow tested for tuberculosis\$ 350.00

Section 62. To reimburse the Minnesota Dairy Industry Committee for expenses incurred in send-

ing the Commissioner of Agriculture, Dairy and Food of the State of Minnesota, as a representative of the State to the World Dairy Congress in Sweden in 1950\$ 1,500.00

Section 63. To reimburse Math Bauer of Elrosa for medical expenses incurred and damages to his automobile as the result of the negligence of an employee of the State Sanatorium at Ah-Gwah-Ching\$ 948.80

Section 64. To reimburse Lloyd M. Olson, Milaca, for loss of livestock as the result of the negligence of a member of the National Guard\$ 900.00

Section 65. To reimburse George Dopp for medical expenses incurred and damages to his automobile due to the negligence of a member of the National Guard\$ 612.05

Above payment is to be in full and final settlement of this claim.

Section 66. To reimburse the County of Kanabec for moneys expended during the years 1948, 1949, and 1950, in providing maintenance, clothing, sanatorium care, and medical services to Milton Buck and wife and their minor children, Federal transients, required by reason of tuberculosis treatment and destitution\$ 2,350.00

Section 67. To reimburse the County of Sherburne for services rendered the Conservation Department of the State of Minnesota\$ 116.80

Section 68. To reimburse Shaver, Hehl and Rettinger in payment of the judgment against the State of Minnesota, in the Supreme Court in Case No. 34818, upon delivery to the Attorney General of a satisfaction of said judgment, approved as to form and execution by him\$ 134.95

Section 69. To compensate Mrs. Vera Hansen, Cambridge, for damages sustained as the result of contracting tuberculosis while employed at the Cambridge State School and Hospital\$ 2,250.00

Section 70. To reimburse Angus E. Anderson for damages to his automobile due to the negligence of employe of the State Board of Vocational Education	\$	50.00
Section 71. To reimburse Ambrose J. Felling, St. Paul, for damages to his automobile due to the negligence of a member of the National Guard	\$	20.10
Section 72. To reimburse O'Brien Wholesale Distributors, Brainerd, Minnesota, for damages to their automobile due to the negligence of a member of the National Guard	\$	308.50
Section 73. To reimburse James Carroll, Duluth, Minnesota, for damages to his automobile due to the negligence of a state employe	\$	46.25
Section 74. To reimburse Loyal Jones, Park Rapids, Minnesota, for damages to his automobile as the result of the negligence of an employe of the State Forestry Division	\$	75.00
Section 75. To reimburse the following persons for damages to personal property due to negligence of employes or inmates of the State Reformatory for Men:		
Mrs. and Mr. Carl F. Metzroth, 201 Third Ave., So., St. Cloud	\$	494.00
Mrs. R. J. Germann, 703 Third Ave., So., St. Cloud		327.00
Mrs. Mary Thielen, 25 Columbia Ave., N.E., St. Cloud		200.00
Mrs. Leon Lease, Route 3, Foley, Minn.		75.00
Mrs. E. Rohloff, 221 27th Ave., So., St. Cloud		140.00
Mrs. Bertha M. Sharp, 705 First Ave., So., St. Cloud		20.00
Mrs. L. E. Lehman, Box 272, Sauk Rapids, Minn.		125.00
Section 76. To reimburse Helmer Krohn of New Prague, Minn., for damages to his automobile		

as the result of the negligence of an employee of the
Minnesota Soldiers' Home\$ 984.50

Section 77.. To compensate Minnie and Edson
Griffin for personal injuries sustained by Winnie
Griffin and medical and hospital expenses incurred
by Edson Griffin, as the result of an injury sus-
tained by Winnie Griffin while attending the Minne-
sota State Fair\$ 1,000.00

Section 78. To compensate Robert Mayberry
for disability resulting from arthritis incurred from
exposure as an employee of the Division of Forestry,
the sum of \$500 forthwith and \$100 each month,
payable on the first day of each month, starting May
1, 1951, while such disability continues. Provided,
however, (1) that said sum shall not be paid while
he is paid a salary as a state employee.

Section 79. To compensate Rachel M. Bergh,
Albert Lea, Minnesota, for disability from tubercu-
losis contracted while employed as a student nurse
at Glen Lake Sanatorium, to be paid at the rate of
\$14.40 weekly, payable on the first day of each
month, the warrants for which shall be delivered
by the Director of Public Institutions\$ 2,834.00

Above payment shall be in addition to sanator-
ium care by the State.

Section 80. To reimburse the City of Owaton-
na, Minn., for special benefits from sanitary sewer
as follows: 97.30 feet of sewer affecting SW $\frac{1}{4}$ of
NE $\frac{1}{4}$ and Lots 5 to 12, inclusive, Block 12, River-
side Addition\$ 1,018.20

Section 81. To compensate Alvin Wright for
injuries sustained while an inmate of the State Re-
formatory for Men, such compensation to be paid as
follows: \$1,000 in cash for medical expenses in-
curred, and \$20 per week for 104 weeks, such weekly
compensation to be paid said Alvin Wright on the
first day of each month on the basis of \$20 per week.
The Director of the Division of Public Institutions is
hereby charged with the duty of delivering the war-
rants for payment\$ 3,080.00

Section 82. To compensate Paul Druk for personal injuries sustained while an inmate at the State Training School for Boys at Red Wing, Minnesota, said sum to cover all medical and hospital expenses for treatment of such injury at the University of Minnesota Hospitals, including any necessary dental work\$ 500.00

Section 83. To compensate Leon M. Orcutt, Strandquist, Minnesota, 136th Infantry Regiment in payment for armory drills and field training\$ 397.04

Section 84. There is appropriated out of any moneys in the Game and Fish funds in the state treasury not otherwise appropriated to Otto A. Johnson and Emma Johnson, Cecil Olson and Reuben Olson, and Alfred E. Nelson Estate, Raymond A. Johnson, Administrator, for damages to real or personal property resulting during 1941, 1942, 1943, and 1944, from alleged negligence of employees of the state in operating a dam in U. S. Lot 2 of Section 28, Township 121, Range 33, in Kandiyohi County in the channel of the Little Crow River as improved by Kandiyohi County Ditch No. 20, not more than a total of \$2,500. Provided, however, that no moneys shall be paid until the Commissioner of Conservation shall determine the amount to be paid to each claimant and shall secure from each claimant a conveyance to the State of Minnesota of flowage rights over and upon the respective lands.

Section 85. To reimburse the appropriate trust funds under the control of the State Board of Investment for the principal of the delinquent loans made to: Consolidated School District No. 1 of Cass County\$ 3,500.00

On condition that the State Board of Investment accept this amount as payment in full of the principal of the respective loans and cancellation of the unpaid interest on such loans, all of which the State Board of Investment is hereby empowered to do. Upon receipt of a copy of the resolution to the State Board of Investment accepting the above payments on the above conditions, the state auditor shall transfer said amount from the general revenue

fund to the appropriate trust funds as directed by the State Board of Investment, and thereupon the State Board of Investment shall cancel and return to Consolidated School District No. 1 of Cass County the bonds or other evidences of such indebtedness held by it.

Section 86. To compensate Carl T. Welin for the death of his son Arthur C. Welin, on November 14, 1949, while in line of duty as a member of the Minnesota Air National Guard, to be paid to him on the first day of each month on the basis of \$27.00 for 278 weeks for total dependency, or the appropriate percentage thereof determined as hereinafter provided, or as much thereof as may be necessary, but not to exceed\$ 7,500.00

Provided, however, that the attorney general may agree with Carl T. Welin on the percentage of his dependency on Arthur C. Welin and in the event of their failure to agree thereon with the attorney general, the state waives immunity from suit solely for the purpose of determining the percentage, if any of the dependency of Carl T. Welin on his son, Arthur C. Welin, if such suit is brought within six months from the effective date of this act by service of a summons and complaint upon the attorney general and hereby confers jurisdiction on the district courts to hear and try said suit upon compliance with the conditions set forth above; and that said Carl T. Welin agrees to reimburse the state for all payments made to him if the United States of America shall compensate him for the death of Arthur C. Welin and that the state payments shall cease when the federal payment is granted as provided for. The Adjutant General is charged with the duty of delivering the warrants for payment.

Section 87. To compensate Mrs. Francis Brix for the death of her son, Private Raymond E. Brix, on August 13, 1950, while on duty as a member of the Minnesota National Guard, to be paid to her on the first day of each month on the basis of \$27.00 for 278 weeks for total dependency, or the appropriate percentage thereof determined as hereinafter provided, or as much thereof as may be necessary, but not to exceed\$ 7,500.00

Provided, however, that the attorney general may agree with Mrs. Francis Brix on the percentage of her dependency on Private Raymond E. Brix, and in the event of their failure to agree thereon with the attorney general, the state waives immunity from suit solely for the purpose of determining the percentage, if any, of the dependency of Mrs. Frances Brix on her son, Private Raymond E. Brix, if such suit is brought within six months from the effective date of this act by service of a summons and complaint upon the attorney general and hereby confers jurisdiction on the district courts to hear and try said suit upon compliance with the conditions set forth above; and that said Mrs. Frances Brix agrees to reimburse the state for all payments made to her if the United States of America shall compensate her for the death of Private Raymond E. Brix and that the state payments shall cease when the federal payment is granted as provided for. The Adjutant General is charged with the duty of delivering the warrants for payment.

Section 88. To compensate John E. Bergman and Florence N. Bergman for the death of their son, 1st Lt. John N. Bergman, on November 13, 1949, while on duty with the Minnesota Air National Guard, to be paid to them on the first day of each month on the basis of \$27.00 for 278 weeks for total dependency, or the appropriate percentage thereof determined as hereinafter provided, or as much thereof as may be necessary, but not to exceed\$ 7,500.00

Provided, however, that the attorney general may agree with John E. Bergman and Florence N. Bergman on the percentage of their dependency on 1st Lt. John N. Bergman, and in the event of their failure to agree thereon with the attorney general, the state waives immunity from suit solely for the purpose of determining the percentage, if any, of the dependency of John E. Bergman and Florence N. Bergman on their son, 1st Lt. John N. Bergman, if such suit is brought within six months from the effective date of this act by service of a summons and complaint upon the attorney general and hereby confers jurisdiction on

the district courts to hear and try said suit upon compliance with the conditions set forth above; and that said John E. Bergman and Florence N. Bergman agree to reimburse the state for all payments made to them if the United States of America shall compensate them for the death of 1st Lt. John N. Bergman and that the state payments shall cease when the federal payment is granted as provided for. The Adjutant General is charged with the duty of delivering the warrants for payment.

Section 89. To compensate Mrs. Hazel C. Olson for the death of her husband Corporal Leonard A. Olson, who died on July 5, 1950, while on duty with the Minnesota National Guard to be paid to her on the first day of each month on the basis of \$27.00 for 278 weeks for total dependency or the appropriate percentage thereof determined as hereinafter provided, or as much thereof as may be necessary, but not to exceed\$ 7,500.00

Provided, however, that by accepting any payments hereunder, the said Mrs. Hazel C. Olson agrees to reimburse the state for all payments made to her if the United States of America shall compensate her for the death of Corporal Leonard A. Olson, and that the state payments shall cease when the federal payment is granted as provided for. The Adjutant General is charged with the duty of delivering the warrants for payment.

Section 90. To compensate Mrs. Harriet M. Peterson for the death of her husband Lt. Col. Otto H. Peterson, who died on May 9, 1949, while on duty with the Minnesota Air National Guard to be paid to her on the first day of each month on the basis of \$27.00 for 278 weeks for total dependency, or the appropriate percentage thereof determined as hereinafter provided, or as much thereof as may be necessary, but not to exceed\$ 7,500.00

Provided, however, that by accepting any payments hereunder, the said Mrs. Harriet M. Peterson agrees to reimburse the state for all payments made to her if the United States of America shall compensate her for the death of Lt. Col. Otto H.

Peterson, and that the state payments shall cease when the federal payment is granted as provided for. The Adjutant General is charged with the duty of delivering the warrants for payment.

Section 91. To compensate Mrs. Leona P. Multz for the death of her husband SFC George R. Multz, who died on July 19, 1949, while on duty with the Minnesota National Guard, to be paid to her on the first day of each month on the basis of \$27.00 for 278 weeks for total dependency, or the appropriate percentage thereof determined as hereinafter provided, or as much thereof as may be necessary, but not to exceed\$ 7,500.00

Provided, however, that by accepting any payments hereunder the said Mrs. Leona P. Multz agrees to reimburse the state for all payments made to her if the United States of America shall compensate her for the death of SFC George R. Multz, and that the state payments shall cease when the federal payment is granted as provided for. The Adjutant General is charged with the duty of delivering the warrants for payment.

Section 92. The Commissioner of Agriculture, the Executive Secretary of the State Livestock Sanitary Board, and the State Auditor, are directed to investigate the claims hereinafter set forth of each of the persons hereinafter named, arising out of the condemnation of cattle exposed to anaplasmosis and ordered slaughtered by the State Livestock Sanitary Board. Upon completion of such investigation the Commissioner of Agriculture, the Secretary of the State Livestock Sanitary Board, and the State Auditor, or a majority of them, are empowered to compromise and settle any and all of said claims after consultation with the chairmen of the Subcommittee on Claims of the Senate Finance Committee and House of Representatives Claims Committee, respectively, who shall be paid their actual expenses and mileage at eight cents per mile when attending meetings in connection therewith. The name, nature, and amount of claims hereinabove referred to are:

William J. Stewart, Jr., for loss sustained through condemnation of cattle exposed to anaplasmosis and ordered slaughtered by the State Livestock Sanitary Board	\$ 324.75
Leo Schmitz and Norbert Schmitz for loss resulting from sale of cattle by order of the State Livestock Sanitary Board	638.70
John Wienrauk of Fulda, Minnesota, for loss in sale of cattle which had contracted anaplasmosis, so ordered for sale by the Minnesota State Livestock Sanitary Board	999.26
Leon W. Sierk for loss resulting from the sale upon order of the Livestock Sanitary Board of diseased cattle	679.21
John Boerboom, Ghent, Minnesota, for loss sustained when his cattle was sold on order of the Livestock Sanitary Board	274.81
E. P. Casper, Balaton, Minnesota, for loss sustained when his cattle was sold on order of the Livestock Sanitary Board	177.40
John Vandergrift to reimburse him for loss sustained through a forced sale of his cattle by order of the Minnesota Livestock Sanitary Board	366.67
Robert Knips to reimburse him for damages sustained when his cattle were ordered by the Livestock Sanitary Board to be slaughtered	505.06
Davis, Gjertson and Knapp for loss sustained through a forced sale of their cattle by order of the Minnesota Livestock Sanitary Board	2,862.05
Davis, Gjertson and Feenstra for damages through a forced sale of their cattle by order of the Minnesota Livestock Sanitary Board	5,095.39
Davis and Kremer . . . for damages through a forced	

sale of their cattle by order of the Minnesota Livestock Sanitary Board	1,250.80
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The several amounts of money necessary to pay each of the above claims in the amount for which the respective claims may be compromised and settled as provided above, are hereby appropriated out of the General Revenue Fund in the State Treasury.

Section 93. The state auditor, state treasurer and attorney general are directed to investigate the claims hereinafter set forth of each of the persons or corporations hereinafter named arising out of the construction and operation of the peat products plant owned by the state near Floodwood, Minn., and the other claims hereinafter set forth, as a part of such investigation the state auditor shall audit each claim and report his findings. Upon the completion of such investigation the state auditor, state treasurer, and attorney general, or the majority of them, are empowered to compromise and settle any or all of said claims after consultation with the chairmen of the sub-committee on claims of the Senate finance committee and the House of Representatives claims committee, respectively, who shall be paid their actual expenses and mileage at the rate of eight cents per mile when attending meetings in connection therewith. No such claim shall be compromised and settled unless the claimant shall make available to the state auditor, state treasurer and attorney general any and all records, documents and other evidence relating to the transactions upon which the respective claims are based, which they shall request or which the state auditor may require in making the several audits referred to above. If any claim is not compromised and settled the state auditor, state treasurer and attorney general shall submit to each branch of the Legislature at the next regular session thereof, a detailed report of their investigation. The claimants, nature, and amount of the several claims are:

James Reid, for services performed and materials furnished to the Commissioner of Iron Range Resources and Rehabilitation	\$ 8,003.00
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Minnesota Power and Light Company for electric service furnished to the wood processing plant owned by the state of Minnesota at Deer River, Minnesota	9,275.95
Great Northern Railway Company for services in transportation of 29 cars of goods and materials in connection with canning of rutabagas at Grand Rapids, Minn., by the Arrowhead Canning Company	9,888.58
Minnesota Power and Light Company for electric service furnished to the peat products plant owned by the State of Minnesota near Floodwood, Minn.	10,799.49
Great Northern Railway Company for demurrage which accrued on railroad cars held for loading and shipment of peat humus at the peat products plant owned by the State of Minnesota near Floodwood, Minn.	566.50
Waldorf Paper Company of St. Paul, Minn., for merchandise delivered in connection with canning rutabagas at Grand Rapids, Minn., by Arrowhead Canning Company	3,802.10
J. E. Whitney for alleged loss claimed to have been paid out in connection with construction and operation of the peat products plant owned by the State of Minnesota near Floodwood, Minnesota	98,000.00
No payment on account of the claim of said J. E. Whitney shall be made until he has delivered to the attorney general all documents, conveyances, releases, and other instruments required by the latter, in his discretion, approved by him as to form and execution, to assure the state of Minnesota complete release from any claim by said J. E. Whitney or any person or corporation heretofore, now, or hereafter associated with or in any way connected with said J. E. Whitney in said peat products plant or any real property on which said plant is located or which may be used in connection with said plant.	

The several amounts of money necessary to pay each of the above named claims in the amount for which the respective claims may be compromised and settled as provided above are hereby appropriated out of the moneys appropriated by Minnesota Statutes 1949, Section 298.22, for the purposes therein set forth. No payment shall be made hereunder for any claim set forth above until the claimant has delivered to the attorney general releases approved by him as to form and execution except as to the claim of J. E. Whitney which shall be governed by the special provisions relating thereto.

Sec. 94. Subdivision 1. There is hereby appropriated out of any money in the general revenue fund in the state treasury not otherwise appropriated the several amounts of money to the following claimants necessary to satisfy the respective judgments, plus accrued interest thereon,

(1) Entered against the State of Minnesota on January 13, 1949, in the District Court of Big Stone County, which judgments are in favor of the following named persons, in the respective amounts set opposite their names:

Joseph Creese	\$ 5,392.66
Dr. A. I. Reed	5,136.51
Edward F. Frevert	10,096.24
Henry E. Witte Executor, Wm. C. Braun Estate	10,620.19
Frank Nelson	2,419.81
Albert Schiefelbein and Elmer Schiefelbein	2,347.05
Ella F. Frevert, as owner, and Ralph Murley, as, tenant	2,013.39
Virginia Kolb and Clarence Kolb	2,451.04

(2) Entered against the State of Minnesota on December 19, 1950, in the Supreme Court of the State of Minnesota, in case No. 34983-90, in favor of the following respondents:

Joseph Creese, Dr. A. I. Reed, Edward F. Frevert, Henry E. Witte, Administrator of

the estate of Wm. C. Braun, decedent, Frank Nelson, Albert Schiefelbein and Elmer Schiefelbein, Ella F. Frevert, as owner, and Ralph Murley, as tenant, Virginia Kolb and Clarence Kolb\$ 120.25

(3) Entered against the State of Minnesota on January 10, 1944, in the Supreme Court of the State of Minnesota, in case No. 33499, in favor of the following respondents:

Wendell Medbery, Everett Medbery, Dwight Medbery, The Minnesota Mutual Life Insurance Company\$ 75.00

Subd. 2. Each of the amounts appropriated by subdivision 1 hereof is appropriated to the persons named in subdivision 1, on the following conditions:

(1) That a satisfaction of each judgment, approved as to form and execution by the Attorney General, be delivered to the state auditor, and

(2) That a conveyance, approved as to form and execution by the Attorney General, granting to the State of Minnesota flowage rights as set forth in the respective judgments, together with releases of all encumbrances of liens thereon, if any, approved in like manner by the Attorney General, be delivered by the respective persons to whom an appropriation is made in subdivision 1, to the state auditor.

Sec. 95. This act shall take effect and be in force from and after its passage.

Approved April 23, 1951.

CHAPTER 719—H. F. No. 1745

[Not Coded]

An act providing for the payment of certain claims and damages against the state arising out of the location, construction, reconstruction, improvement and maintenance of