

The highway commissioner shall have the right to lease lands containing road building material or purchase by cubic yard or on a royalty basis crushed rock or other road building material needed for fill, road base, and surfacing purposes ~~including borrow pit for grading fill~~. *He may acquire by eminent domain proceedings in the manner provided by law any tax forfeited lands containing gravel or other road building materials suitable for road purposes, together with the right of way to the same of sufficient width to allow trucks or other vehicles to pass. For borrow purposes he may also acquire by purchase, gift, or eminent domain proceedings, non-tax forfeited lands containing materials other than gravel.*

Approved May 26, 1965.

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CHAPTER 837—S. F. No. 1066

*An act relating to actions for death by wrongful act; increasing the limit on the amount of recovery; amending Minnesota Statutes 1961, Section 573.02, Subdivision 1.*

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

Section 1. Minnesota Statutes 1961, Section 573.02, Subdivision 1, is amended to read:

**573.02 Actions for death by wrongful act; amount of recovery.** Subdivision 1. When death is caused by the wrongful act or omission of any person or corporation, the trustee appointed as provided in subdivision 2 may maintain an action therefor if the decedent might have maintained an action, had he lived, for an injury caused by such wrongful act or omission. The action may be commenced within three years after the act or omission. The recovery in such action is such an amount as the jury deems fair and just in reference to the pecuniary loss resulting from such death, shall not exceed ~~\$25,000~~ **\$35,000**, and shall be for the exclusive benefit of the surviving spouse and next of kin, proportionate to the pecuniary loss severally suffered by the death. The court then determines the proportionate pecuniary loss of the persons entitled to the recovery and orders distribution accordingly. Funeral expenses and any demand for the support of the decedent, other than old age assistance, allowed by the court having jurisdiction of the action, are first deducted and paid.

If an action for such injury was commenced by the decedent and not finally determined during his life, it may be continued by

**Changes or additions indicated by *italics*, deletions by ~~strikeout~~.**

the trustee for recovery of such damages for the exclusive benefit of the surviving spouse and next of kin, proportionate to the pecuniary loss severally suffered by the death. The court on motion shall make an order allowing such continuance and directing pleadings to be made and issues framed as in actions begun under this section.

Approved May 26, 1965.

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CHAPTER 838—S. F. No. 1154

[Coded in Part]

*An act relating to salaries, fees and budgets of county treasurers; amending Minnesota Statutes 1961, Section 385.373.*

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

Section 1. Minnesota Statutes 1961, Section 385.373, is amended to read:

**385.373 County treasurer's salaries; counties under 75,000 inhabitants.** Subdivision 1. **Salary schedule.** The county treasurers in all counties of the state, with less than ~~50,000~~ *75,000* inhabitants according to the ~~last~~ *1960* federal census, shall receive as full compensation for services rendered by them for their respective counties, annual salaries, *not less than the following amounts* based on the population according to the then last preceding federal census: ; the taxable valuation of real and personal property, exclusive of money and credits, as reported in the abstract of tax lists for the preceding year and the number of full and fractional congressional townships, as follows:

(a) In counties with less than ~~6,500~~ *10,000* inhabitants \$~~6,000~~; ~~\$2,400~~ and \$250 for each \$1,000,000 taxable evaluation or major fraction thereof, and \$5 for each full or fractional congressional township, with the aggregate not to exceed \$2,850;

(b) In counties with ~~6,500~~ *10,000* but less than ~~12,000~~ *20,000* inhabitants \$~~6,500~~; ~~\$2,550~~ and \$200 for each \$1,000,000 taxable valuation or major fraction thereof, and \$5 for each full or fractional congressional township, with the aggregate not to exceed \$3,300;

(c) In counties with ~~12,000~~ *20,000* but less than ~~16,000~~ *30,000* inhabitants \$~~7,000~~; ~~\$2,800~~ and \$100 for each \$1,000,000 taxable valuation or major fraction thereof, and \$5 for each full or

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