

general revenue fund to be used for expenses in receiving and erecting donated statues or monuments.

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

Section 1. **Certain cities of the fourth class may grant liquor store profits for the erection of monuments.** The governing body of any city of the fourth class having a population of more than 5,000 inhabitants according to the 1940 federal census, and being the county seat of a county in this state containing more than 20 full and fractional congressional townships and a land area of over 500 square miles, which city operates an "on sale" and "off sale" municipal liquor store, may appropriate from the municipal liquor store fund or the general revenue fund of such city an amount not to exceed \$1,500 to be used for all necessary expenses, including acquisition of the necessary ground, in connection with receiving and permanently erecting statues or monuments donated to such city from outside sources including any foreign county.

Approved April 22, 1949.

CHAPTER 624—H. F. No. 1829

[Not Coded]

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 the 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 to be 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. To be heard as other civil actions. All such actions shall be commenced, tried and determined as other civil actions 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. Commissioner of highways to settle certain 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 or funds accredited thereto from highway patrol fines or other sources.

Sec. 5. Appropriation for defense. 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. Appropriation to pay 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. Claimants. The names of the claimants, the general nature of each claim, and the amounts thereof are respectively as follows:

Subdivision 1. Lydia A. Clark, in reimbursement of damages to real property alleged to have resulted from the improper removal of a retaining wall or dyke in connection with the construction and maintenance of trunk highway No. 82\$1,000.00

Subd. 2. Jim Christensen, Winthrop, Minnesota, in reimbursement of alleged damages to crops occurring during the years 1943 and 1944 and resulting from the improper placing of drainage structures in the construction and maintenance of a trunk highway near the lands of the claimant.\$970.00

Subd. 3. Herman Dack and Lucy Dack, in reimbursement of alleged damages to real property alleged to have resulted from flood waters caused by the improper raising of the elevation of trunk highway No. 19 and the construction of a flume and culverts in said highway\$2,000.00

Subd. 4. Francis J. Chiles and Gertrude L. Chiles, in reimbursement for damages alleged to have been caused by the relocation, construction, reconstruction, improvement and maintenance of trunk highway No. 61 across a portion of the claimants' lands in St. Louis County, Minnesota, in addition to monies heretofore paid said claimants by the state, which claim is alleged to have occurred by reason of a mutual mistake in the execution of a right-of-way easement agreement\$3,000.00

Sec. 8. **Monies available.** The monies appropriated herein shall be available from and after the passage and approval of this act.

Approved April 22, 1949.

CHAPTER 625—H. F. No. 1831

[Not Coded]

An act relating to Mayo Memorial, appropriating money therefor, authorizing the levy and collection of taxes to provide funds therefor, and the issuance and sale of certificates of indebtedness in connection therewith.