

43.123. **Investigation.** Subd. 3. The economic adjustment increase provided for in Section 43.122 and all increases and decreases thereof shall be used by the commissioner of administration in connection with all salaries and accounting records and with all budget estimates for all departments or agencies of the state government.

Approved April 25, 1949.

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CHAPTER 702—H. F. No. 1830

[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 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. Appropriation to pay claims arising out of trunk highway and highway patrol activities.** The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated out of the trunk highway fund or funds accredited thereto from highway patrol fines or other sources for the purposes specified in the following sections of this act, and the Commissioner of Highways is requested and directed, upon receiving receipt, release, and discharge in full from each of the persons and their spouses, firms, corporations, and governmental subdivisions hereinafter named, to pay out of the trunk highway fund, or funds accredited thereto from highway patrol fines, or other sources, to each of such persons, firms, corporations, and governmental subdivisions, the amounts of their respective claims, subject to any conditions set forth.

Subdivision 1. To reimburse Kenneth Root for a new water main leading into his home and in replacement of a water main destroyed during the construction of a trunk highway . . . . . \$ 115.00

Subd. 2. To reimburse Leonard E. Dineen of De Graff, Minnesota, for damages to his property from a fire resulting from the negligence of state highway employees .....\$ 24.00

Subd. 3. To reimburse the City of Duluth, Minnesota, for engineering services rendered in the construction and maintenance of a state trunk highway .....\$1,244.42

Subd. 4. To reimburse Willard Rassat and Elsie Rassat for damages to real property caused by flooding due to the construction and maintenance of trunk highway 55, Wright County .....\$ 200.00

Subd. 5. To reimburse Ralph Temple, Faribault, Minnesota, for damages sustained to the claimant's automobile due to improper blasting operations which caused stumps on a trunk highway at or near Faribault, Minnesota, to be hurled into said automobile .....\$ 100.00

Subd. 6. To reimburse the Chicago, St. Paul, Minneapolis and Omaha Railway Company for work performed at the request of the department of highways on trunk highway No. 60 .....\$ 681.39

Subd. 7. To reimburse the village of Mabel, Minnesota, for one-third of the cost of installing lights on a state trunk highway in said village .....\$ 720.00

Subd. 8. To reimburse the Great Northern Railway Company for work performed and material furnished on trunk highway No. 10 at Elk River, Minnesota, at the request of the department of highways .....\$ 225.39

Subd. 9. To reimburse T. B. Lunceford, Osakis, Minnesota, for damages to property from flooding arising from the construction and maintenance of a trunk highway at Osakis, Minnesota .....\$ 200.00

Subd. 10. To reimburse each of the persons herein named for services rendered and expenses incurred as district court appointed condemnation com-

missioners in proceedings for the acquisition of trunk highway right of way and not heretofore paid because of insufficiency of encumbered funds:

(a) Anton J. Roszak, Dakota County .....	\$ 623.50
(b) H. W. Hosmer, Dakota County .....	\$ 435.00
(c) Charles Wagenknecht, Dakota County ...	\$ 148.00
(d) Allan E. Burt, Dakota County .....	\$ 433.50
(e) A. L. Jonason, Chisago County .....	\$ 96.00
(f) Oscar C. Larson, Chisago County .....	\$ 97.50
(g) Ed Rosin, Chisago County .....	\$ 98.10
(h) Patrick Burns, Carver County .....	\$ 232.50
(i) Hubert Fairchild, Carver County .....	\$ 222.00
(j) Hilary Noll, Carver County .....	226.00
(k) K. R. Seiler, Goodhue County .....	\$ 210.00
(l) Oscar Hallquist, Goodhue County .....	\$ 213.00
(m) August Nelson, McLeod County .....	\$ 18.00
(n) Walter C. Junglaus, McLeod County ...	\$ 16.00
(o) F. W. Ehlen, McLeod County .....	\$ 20.30
(p) Robert S. Reid, Hennepin County .....	\$ 100.00
(q) Donald N. Newhall, Hennepin County ..	\$ 100.00
(r) W. G. Wallace, Hennepin County .....	\$ 100.00

Subd. 11. To reimburse the Village of LeRoy for damages caused in the construction of trunk highway No. 56 within the corporate limits and not heretofore paid by reason of funds not being encumbered .....

	\$ 224.70
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Subd. 12. To reimburse P.K.M. Electric Co-operative, Inc., for damages caused in the construction of trunk highway No. 75 and not heretofore paid by reason of funds not being encumbered .....

	\$ 36.13
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Subd. 13. To reimburse Watertown Telephone Company for damages caused in the construction of

trunk highway No. 7, and not heretofore paid because of insufficient encumbered funds .....\$ 70.16

Subd. 14. To reimbruse Great Lakes Pipe Line Company for damages caused in the construction of trunk highway No. 61, and not heretofore paid because of insufficient encumbered funds .....\$5,980.56

Subd. 15. To reimburse the Northern Pacific Railway Company for damages in connection with re-arranging telegraph pole line in the construction by the state of an oil storage tank on trunk highway No. 71, and not heretofore paid because of insufficient encumbered funds .....\$ 69.82

Subd. 16. To reimburse the City of St. Paul for engineering services rendered in connection with trunk highway No. 61, and not heretofore paid because of insufficient encumbered funds .....\$1,006.29

Subd. 17. To reimburse the City of Minneapolis for the cost of moving fire hydrants located between Bedford Street and the city limits of St. Paul in the construction of trunk highway No. 12, and not heretofore paid because of insufficient encumbered funds .....\$ 952.43

Subd. 18. To reimburse the persons herein named the aggregate sum of \$74,974.21, in payment of claims arising out of contracts of the department of highways for services performed or materials purchased, for which allotments and encumbrances of funds were not made as required by Laws 1939, Chapter 431, and acts amendatory thereof, viz;...

(a) A. T. Nolan, Contract No. 5193, Trunk Highway No. 44, from Spring Grove to Caledonia;..

(b) Ashworth-Hawkinson Company, Contract No. 5396, Trunk Highway No. 11, from one mile northwest of Indus to 2.5 miles northwest of Loman; .....

(c) Farrell Contracting Company, Contract No. 5183, Trunk Highway No. 21, from Montgomery to junction with Trunk Highway No. 99; .....

(d) Woodrich Construction Company, Inc., Contract No. 5563, Trunk Highways No. 32, 14, and 59, from St. Hilaire to Thief River Falls; .....

(e) W. Hodgman and Sons, Contract No. 5424, Trunk Highway No. 12, from 3.3 miles west of the junction with Trunk Highway No. 59 and Benson; .....

(f) Midwest Dredging Company, Contract No. 5640, in connection with Trunk Highway No. 12, for dredging along the west shore of St. Croix River at Lakeland; .....

(g) Herbison Construction Company, Contract No. 2549, Trunk Highways Nos. 23 and 56, from one-half mile west of Dolbo on Trunk Highway No. 56 to junction with Trunk Highway No. 23 in Ogilvie, and on Trunk Highway No. 23 in Ogilvie to the west county line; .....

(h) Alley & Enebak, Contract No. 5313, on Trunk Highway No. 19 in Northfield; .....

(i) Central States Construction Company, Contract No. 5578, Trunk Highway No. 22, from Glencoe to Hutchinson. ....

Payment of the foregoing claims is directed notwithstanding non-compliance with Laws 1939, Chapter 431, or acts amendatory thereof; said payment shall be made upon the submission of the claim in such form as the Commissioner of Highways shall determine, notwithstanding any provision in this act to the contrary. ....

Subd. 19. To reimburse the Minneapolis and St. Louis Railway Company for moving pole line in connection with construction of T. H. No. 5 and not heretofore paid because of insufficient encumbered funds \$1,448.73. ....

Sec. 2. All monies appropriated by this act shall be available for the purpose herein stated from and after the passage and approval of this act.

Approved April 25, 1949.