

Houston county; thence southwesterly parallel to the west right of way line of the Chicago, Milwaukee, St. Paul & Pacific Railroad, 380 feet; thence south 30 feet to said right of way line; thence south 280.1 feet to the east right of way line of said railroad; thence southwesterly along said east right of way line, a distance of 489.2 feet to the southwest corner of the tract of land conveyed to the village of LaCrescent by the state of Minnesota by quit claim deed executed on the 25th day of January, 1940, which is the place of beginning of the tract to be described; thence easterly along the southerly line of said tract of land conveyed to the village of LaCrescent, 376.8 feet to the southeast corner thereof; thence northerly along the easterly line of said tract of land conveyed to the village of LaCrescent, 200 feet to the northeast corner thereof; thence easterly along the easterly extension of the north line of said tract of land conveyed to the village of LaCrescent to an intersection with a line run parallel with and distant 500 feet southeasterly of the westerly main track center line of said railroad; thence southwesterly along said 500-foot parallel line to an intersection with a line run parallel with and distant 400 feet southerly of the south line of said tract of land conveyed to the village of LaCrescent; thence westerly along said 400-foot parallel line and its westerly extension to the east right of way line of said railroad; thence northerly along said east right of way line to the place of beginning;

which deed shall reserve to the state of Minnesota, its successors and assigns, the perpetual right of egress and ingress across the lands herein conveyed.

Approved March 13, 1963.

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CHAPTER 68—S. F. No. 50

[Not Coded]

*An act relating to claims against the state approved by the claims commission and appropriating moneys for the payment thereof.*

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

Section 1. **Claims, statement of purpose.** In order to carry out the recommendations of the claims commission as contained in its biennial report to the legislature covering the claims considered, the claims approved and the awards made pursuant to Minnesota Statutes

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

1961, Sections 3.66 to 3.84, the appropriations contained in this act are made.

**Sec. 2. Appropriations from game and fish fund.** Subdivision 1. There is appropriated from any moneys in the state treasury credited to the game and fish fund the following sums in full payment of the following claims:

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| Subd. 2. | Rollo J. Ruble, East Chain Lake, Fairmont, Minnesota, for damages suffered when employees of game and fish division negligently buried dead fish near claimant's property causing water in well to become polluted and unfit for human consumption. | 750.00 |
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**Sec. 3. Appropriations from general revenue fund.** Subdivision 1. There is appropriated from any moneys in the state treasury, not otherwise appropriated, the sums of money set forth in this section to the persons named therein in full payment of claims against the state.

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| Subd. 2. | Roland O. Fitting, RFD, Houston, Minnesota, for damages caused by Leptospirosis transmitted to claimant's herd of Holstein milk cows by an agent of the livestock sanitary board during a brucellosis test. | 1,190.00 |
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| Subd. 3. | Henry Schultz, Truman, Minnesota, for failure of livestock sanitary board to notify claimant that milk test showed his herd was infected with brucellosis. | 2,400.00 |
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| Subd. 4. | Harold Cady, Lewiston, Minnesota, for loss of purebred Angus cow following cattle testing program conducted by livestock sanitary board. | 275.00 |
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| Subd. 5. | Gene P. Schwartz, Box 55, Stillwater, Minnesota, for injuries sustained while claimant was performing assigned duties at the state prison. | 688.94 |
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The amount of this claim is to be paid to the claimant upon his release from the state prison and upon the certification of the warden thereof that he has been so released.

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- Subd. 6. Northwestern Bell Telephone Company, 308 Lincoln Avenue West, Fergus Falls, Minnesota, for repairs to telephone cable damaged while construction and improvement work was in progress at the Fergus Falls state hospital. 152.30
- Subd. 7. Carles Bertelsen, Route 1, Floodwood, Minnesota, for damage to claimant's property destroyed by fire set by a ward of the state of Minnesota. 9,727.55
- Subd. 8. State Farm Mutual Insurance Company, 1500 W. Highway 36, St. Paul 13, Minnesota, for damages to vehicle insured by claimant when it collided with a national guard jeep which made an improper turn. 401.25
- This claim is to be paid only when the claimant has furnished the state auditor with evidence satisfactory to the attorney general that W. A. Curtin, its insured, has been reimbursed for any moneys which he has paid under the terms of his \$50 deductible insurance policy.
- Subd. 9. Lawrence LeBlanc, 1009 Bass Boulevard, Proctor, Minnesota, for damages to claimant's car when it was struck by a national guard truck. 107.00
- Subd. 10. Royal McBee Corp., 385 N. York Street, Elmhurst, Illinois, reimbursement for cards furnished state of Minnesota for which an incorrect price was quoted. 275.25
- Subd. 11. International Business Machines, 690 N. Robert Street, St. Paul 1, Minnesota, reimbursement for 100,000 cards manufactured by claimant from incorrectly submitted sample by a state department. 105.00
- Subd. 12. Richard Piekarski, Route 1, Randall, Minnesota, for loss of cow injured dur-

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|           | ing brucellosis test conducted by livestock sanitary board.  | 275.00   |
| Subd. 13. | Western Loan Company, 602-1/2 Center Avenue, Box 30, Moorhead, Minnesota, for refund of fee paid when claimant made application for small loan license which was later canceled.   | 100.00   |
| Subd. 14. | Arthur Sprengeler, Plato, Minnesota, for loss of registered brown Swiss bull following administration of tranquilizers by members of college of veterinary medicine.   | 5,000.00 |
| Subd. 15. | Verland Eliason, Sacred Heart, Minnesota, for injuries to cow during brucellosis test conducted by livestock sanitary board.   | 225.00   |
| Subd. 16. | Melvin Labraaten, 515 Bridge Street, Redwood Fall, Minnesota, for injuries sustained while claimant was performing assigned duties at the state prison.<br><br>The amount appropriated shall be paid to the commissioner of public welfare and by him deposited in the state social welfare fund for the benefit of claimant's family; said sum to be paid to claimant's family in installments of \$106.68 per month. | 1,066.80 |
| Subd. 17. | Herbert W. Gellert, 2039 Roblyn Avenue, St. Paul, Minnesota, for injuries sustained on university of Minnesota property.   | 100.00   |
| Subd. 18. | Lavern Young, Route 2, Fairfax, Minnesota, for loss of cow following brucellosis test conducted by livestock sanitary board.   | 295.00   |
| Subd. 19. | Ralph Larson, Preston, Minnesota, for loss of cow following brucellosis test conducted by livestock sanitary board.  | 200.00   |
| Subd. 20. | Raymond W. Bergstrom, 128 West Seventh Street, St. Paul, Minnesota, for  |          |

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|           | injuries sustained while claimant was performing assigned duties at the state prison.  | 266.70   |
| Subd. 21. | Wilfred A. Gessner, 328 Elm Street, St. Peter, Minnesota, for damages to claimant's vehicle by a patient from the St. Peter state hospital.  | 46.05    |
| Subd. 22. | Charles O. Johnson, Rushmore, Minnesota, for loss of cow following brucellosis test conducted by livestock sanitary board.   | 275.00   |
| Subd. 23. | Leon Anthony Columbus, 229 Ramsey Street, St. Paul, Minnesota, for injuries sustained while claimant was performing assigned duties at the St. Cloud reformatory for men.                            | 533.40   |
| Subd. 24. | Rudolph James Rosenquist, c/o James J. Courtney, Jr., Attorney at law, 1505 Alworth Building, Duluth, Minnesota, for injuries sustained at the university of Minnesota, Duluth branch.               | 2,500.00 |
| Subd. 25. | R.M. Otte, d/b/a Sauk Centre, Sales Barn, Sauk Centre, Minnesota, reimbursement for money expended for auction approved by livestock sanitary board and later rejected by said board.                | 98.81    |
| Subd. 26. | Mrs. Loretta Haijsman, c/o Faribault State School and Hospital, Faribault, Minnesota, for damage to claimant's property and clothing by a patient from the Faribault state school and hospital.      | 95.60    |
| Subd. 27. | Dale E. Swenson, Box 600, Chehalis, Washington, for injuries inflicted by inmates at the St. Cloud reformatory for men where claimant was employed.  | 2,500.00 |
| Subd. 28. | Peter VanWyngereen, 4657 Dupont Avenue South, Minneapolis 9, Minnesota, for medical expenses incurred as the result of a skin infection contracted while training with the Minnesota national guard. | 694.86   |

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- Subd. 29. John E. Heintz, 3117 Holmes Avenue South, Minneapolis, Minnesota, for injuries sustained while claimant was performing assigned duties at the state prison. 1,226.23
- Subd. 30. Irvin H. Maas, Edgerton, Minnesota, for loss of cow following brucellosis test conducted by livestock sanitary board. 95.00
- Subd. 31. Mr. & Mrs. Peter Hubin, 3801 Main Street N.E., Minneapolis 21, Minnesota, reimbursement for medical expenses incurred when claimants' child was injured by a ward of the state of Minnesota. 53.00
- Subd. 32. Ardell Waytashek, Route 4, Pierz, Minnesota, for loss of cow following brucellosis test conducted by livestock sanitary board. 240.00
- Subd. 33. Irvin G. Patton, c/o Gordon I. Sinclair, Attorney at law, 1396 White Bear Avenue, St. Paul, Minnesota. 1,066.80
- The amount of this claim is to be paid to the claimant upon his release from prison and upon certification of the warden thereof that he has been so released.
- Subd. 34. Henry Hjalmer Johnson, 4 W. Lake Street, Apt. 403, Minneapolis, Minnesota, for injuries sustained while claimant was performing assigned duties at the state prison. 720.00
- The amount of this appropriation shall be deposited to the claimant's account in the state social welfare fund and shall be paid to him in 24 equal monthly installments of \$30 commencing July 1, 1963. The commissioner of public welfare shall arrange for the issuance and delivery of the state warrants in payment hereof in the manner set forth.

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| Subd. 35. | Minneapolis Public Welfare Dept., Claims Investigation Section, 250 South Fourth Street, Minneapolis, Minnesota, reimbursement for medical care and treatment of an individual under custody of the department of public welfare. | 299.00 |
| Subd. 36. | Lorne Erickson, 638 So. Dellwood Street, Cambridge, Minnesota, for destruction of claimant's property by a patient at the Cambridge state hospital.   | 40.00  |
| Subd. 37. | Robert J. Endres, R.R. #4, Fari-bault, Minnesota, for reimbursement of sick leave wrongfully charged against claimant.  | 426.67 |
| Subd. 38. | Loretta Lynard, 503 E. Vine Street, Owatonna, Minnesota, for injuries sustained when claimant fell in the state capitol.  | 23.00  |
| Subd. 39. | Elmer R. Jones, LeSueur, Minnesota, for loss of cow following brucellosis test conducted by livestock sanitary board.   | 200.00 |
| Subd. 40. | Peter Durand, Lake Elmo, Minnesota, for injuries to bull while being restrained for brucellosis test conducted by livestock sanitary board.   | 100.00 |
| Subd. 41. | Henry Robben, Rte. 1, Staples, Minnesota, for loss of cow following brucel-losis test conducted by livestock sani-tary board.   | 140.00 |
| Subd. 42. | Lawrence & Herbert Hoppe, RFD, Crookston, Minnesota, for injury to cow during brucellosis test conducted by livestock sanitary board.   | 95.00  |
| Subd. 43. | Lawrence Johnson, Room 109 Vine Hall, 15th and LaSalle, Minneapolis, Minnesota, for injuries sustained by claimant while performing assigned duties at the state prison.  | 333.37 |

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- Subd. 44. Hartford Insurance Co., 408 Bradley Building, Duluth 2, Minnesota, and John J. Arotta, Duluth, Minnesota, for damage to vehicle insured by claimant when it was struck by a national guard truck. 335.15
- The warrant issued in payment of this appropriation shall be issued jointly to the two named claimants, each party to execute an appropriate release.
- Subd. 45. Otis Freelove, Jr., Box 55, Stillwater, Minnesota, for injuries sustained by claimant while performing assigned duties at the state prison. 3,680.46
- The sum appropriated in payment of this claim shall be paid to the commissioner of public welfare for deposit in the state social welfare fund for the benefit of claimant's family. Said sum shall be paid to the claimant's family in monthly installments in such amount as the commissioner of public welfare shall determine. If at any time it appears to the commissioner that the claimant's family requires housing, then, in his discretion he may pay all or any part of the appropriation necessary for such purposes.
- Subd. 46. Harold J. Leary, Caledonia, Minnesota, for loss of cow following brucellosis test conducted by livestock sanitary board. 700.00
- Subd. 47. Charles Berryman, 1021 Thorn Street, St. Paul, Minnesota, for injuries sustained by claimant while performing assigned duties at the state prison. 819.93
- Subd. 48. Herbert & Bennett Larson, Rte 1, Cushing, Minnesota, for destruction of property by fire set by state employees. 350.52
- Subd. 49. John A. Timm, Utica, Minnesota, for injury to cow during brucellosis test conducted by livestock sanitary board. 165.20

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| Subd. 50. | Richard L. Meyer, 510 Cedar Lane, Moorhead, Minnesota, for reimbursement of money wrongfully assessed claimant for damage to a state-owned vehicle.   | 320.88 |
| Subd. 51. | Mr. & Mrs. Gunnard Olson, Rte. 1, Box 331, Forest Lake, Minnesota, for reimbursement of money stolen from claimants by a ward of the state of Minnesota.                                    | 70.00  |
| Subd. 52. | Frank Crippen, Sanborn, Minnesota, for expenses incurred attending Minnesota soil conservation committee meeting not covered by appropriation made by the legislature.                      | 29.55  |
| Subd. 53. | Edwin W. Goplen, 1120 East Avenue, Zumbrota, Minnesota, for expenses incurred attending Minnesota soil conservation committee meeting not covered by appropriation made by the legislature. | 29.56  |
| Subd. 54. | Alvin Wiese, Humboldt, Minnesota, for expenses incurred attending Minnesota soil conservation committee meeting not covered by appropriation made by the legislature.                       | 29.55  |
| Subd. 55. | Theodore O. Hegseth, Rte. 2, Fergus Falls, Minnesota, for expenses incurred attending Minnesota soil conservation committee meeting not covered by appropriation made by the legislature.   | 29.56  |
| Subd. 56. | Herman Rosholt, Cyrus, Minnesota, for expenses incurred attending Minnesota soil conservation committee meeting not covered by appropriation made by the legislature.                       | 29.56  |
| Subd. 57. | Gordon I. Sinclair, 1396 White Bear Avenue, St. Paul, Minnesota, for expenses incurred transporting a claimant to state claims commission hearing.  | 15.00  |

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- Subd. 58. University of Minnesota Hospitals, Minneapolis 14, Minnesota, for medical treatment rendered a claimant by request of the state claims commission. 88.95
- Subd. 59. Richard Arthur Anderson, 3048 Edgewood Avenue South, Minneapolis, Minnesota, for Korean war bonus. 120.00

**Sec. 4. Appropriations from highway and related funds.**

Subdivision 1. There is appropriated from any moneys in the state treasury credited to the trunk highway fund, or funds accredited thereto from highway patrol fines or other sources, the sums of money set forth in this section to the persons named therein in full payment of claims against the state.

- Subd. 2. McClean-Astleford Company, 7701 Harriet Avenue South, Minneapolis, Minnesota, for extra work performed under supplemental agreement with Minnesota highway department. 2,500.00
- Subd. 3. Adah Jenks, Highway 16 East, Austin, Minnesota, for expenses incurred for installation of drainage system contrary to plans originally submitted by Minnesota highway department in condemnation proceeding. 100.00
- Subd. 4. Robert H. & Rosella Jorgenson, Highway 16 East, Austin, Minnesota, for expenses incurred for installation of *drainage system contrary to plans originally submitted by Minnesota highway department in condemnation proceeding.* 100.00
- Subd. 5. Tommy & Eileen M. Tapager, Highway 16 East, Austin, Minnesota, for expenses incurred for installation of drainage system contrary to plans originally submitted by Minnesota highway department in condemnation proceeding. 250.00
- Subd. 6. Roy W. & Geraldine M. Tapager, Highway 16 East, Austin, Minnesota, for expenses incurred for installation of drainage system contrary to plans

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|           | originally submitted by Minnesota highway department in condemnation proceeding.  | 100.00    |
| Subd. 7.  | Superior Oil Company, 9500 Lyndale Avenue South, Bloomington, Minnesota, for flood damage caused by negligence of road building crew in blocking up storm sewers during highway construction project. | 711.83    |
| Subd. 8.  | Dr. G. Orville Anderson, Jackson, Minnesota, for flood damage resulting from highway construction project.  | 1,750.37  |
| Subd. 9.  | Ed Hiley, d/b/a Jackson Floral, Jackson, Minnesota, for flood damage resulting from highway construction project.   | 12,478.34 |
| Subd. 10. | Fred & Pauline Matuska, Jackson, Minnesota, for flood damage resulting from highway construction project.   | 1,224.43  |
| Subd. 11. | William Schroeder, Jackson, Minnesota, for flood damage resulting from highway construction project.  | 629.33    |
| Subd. 12. | Maryland Casualty Company, 2419 Nicollet Avenue, Minneapolis 4, Minnesota, for damage to property of claimant's insured by reason of error in placing stakes in a highway construction project.       | 100.00    |
| Subd. 13. | Lester D. Lee, 1315-4th street S.E., Minneapolis 14, Minnesota, for damage to property while under lease to Minnesota highway department.   | 265.00    |
| Subd. 14. | Village of Norwood, Norwood, Minnesota, for repair of trunk highways 212, 25 and 5 as part of agreement for relocation of trunk highway 212.  | 6,935.00  |
| Subd. 15. | Gipson Lumber Company, 111 E. Franklin Avenue, Minneapolis 2, Minnesota, for damage to claimant's property caused by employee of Minnesota highway department.  | 508.00    |

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| Subd. 16.   | General Supply Company, 22 Washington Street, Brainerd, Minnesota, for damage to claimant's property caused by employee of Minnesota highway department.  | 45.27    |
| Subd. 17.   | Village of Dassel, Dassel, Minnesota, State of Minnesota's share for improvement to trunk highway 15.   | 5,698.61 |
| Subd. 18.   | Omar E. Rood, c/o Crookston Construction Co., Crookston, Minnesota, for extra work performed on highway construction project not covered by contract.   | 9,228.48 |
| Subd. 19.   | Casualty Underwriters, Inc., 230 Hamm Building, St. Paul, Minnesota, and Harland L. Taurman, Forest Lake, Minnesota, for damage to vehicle caused by highway department truck.<br>The warrant issued in payment of this appropriation shall be issued jointly to the two named claimants, each party to execute an appropriate release. | 223.65   |
| Subd. 20.   | Richfield Terrace Improvement Association, c/o Ferris H. Nichols, 6225 Blaisdell Avenue South, Minneapolis 23, Minnesota, for reimbursement of water charges as a result of negligence by highway department employees who improperly turned off water.   | 93.56    |
| Subd. 21.   | City of Marshall, Box 129, Marshall, Minnesota, for necessary change in highway for street improvement purposes.  | 1,758.69 |
| <b>Sec. 5. Appropriations from highway user tax distribution fund.</b>  |   |          |
| Subdivision 1. There is appropriated from any moneys in the state treasury credited to the highway user tax distribution fund the sums of money set forth in this section to the persons named therein in full payment of claims against the state. |   |          |
| Subd. 2.  | Robert Soelberg, d/b/a Brookside Service, 5200 Interlachen Blvd., Minneapolis, Minnesota, for refund of gasoline tax on gasoline lost when tanks were damaged.  | 397.35   |

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

- Subd. 3. White Motor Company, 2812 University Avenue S.E., Minneapolis 14, Minnesota, for partial rebate of license fee paid on a truck not used on the highway except for two months during the year in question. 633.95
- Subd. 4. Bunke's APCO Service, 1570 Service Drive, Winona, Minnesota, for refund of gasoline tax on gasoline destroyed when it was accidentally mixed with another product. 754.90
- Subd. 5. Harvey Jensrud, d/b/a Uptown Service, Fertile, Minnesota, for refund of tax paid on gasoline lost because of damaged tank. 266.30

Sec. 5. There is appropriated from the funds in the state treasury hereinafter designated the sum of \$27.93 in payment of the claim of Antone Schneider, General Delivery, Chamberlain, South Dakota as a refund of taxes paid and not due the state of Minnesota. From the general revenue fund the sum of \$2.49; from the highway user tax distribution fund the sum of \$3, and from the mobile homes registration and taxation fund the sum of \$22.44.

Sec. 7. Except as otherwise provided for in this act, no payment shall be made to any claimant until a full and complete release in a form approved by the attorney general has been filed in the office of the state auditor.

Subd. 8. The provisions of this act are effective immediately upon its enactment.

Approved March 15, 1963.

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CHAPTER 69—S. F. No. 110

*An act relating to game and fish; amending Minnesota Statutes 1961, Section 102.28, Subdivisions 1, 2, 3 and 4.*

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

Section 1. Minnesota Statutes 1961, Section 102.28, Subdivision 1, is amended to read:

Subdivision 1. **Fish; Lake Superior.** Herring, lake trout, coisoes, chubs, ~~northern pike or pickerel~~ and *alewives*, whitefish,

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