

Sec. 2. All acts or parts of acts not consistent herewith are hereby repealed.

Approved April 20, 1943.

CHAPTER 538—S. F. No. 427.

(AMENDING SECTION 573.02 MINNESOTA STATUTES 1941.)

An act relating to action for death by wrongful act, and amending Mason's Supplement 1940, Section 9657.

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

Section 1. **Law amended—action for death by wrongful act.**—Mason's Supplement 1940, Section 9657, is amended to read as follows:

When death is caused by the wrongful act or omission of any person or corporation, the personal representative of the decedent may maintain an action therefor if he might have maintained an action, had he lived, for an injury caused by the same act or omission. The action may be commenced within two years after the act or omission. The damages therein cannot exceed \$10,000.00, and shall be for the exclusive benefit of the surviving spouse and next of kin, to be distributed to them in the same proportion as personal property of persons dying intestate; but funeral expenses, and any demand for the support of the decedent *other than old age assistance*, duly allowed by the probate court, shall first be deducted and paid. Provided, that if an action for such injury shall have been commenced by such decedent, and not finally determined during his life, it may be continued by his personal representative for the benefit of the same persons and for recovery of the same damages as herein provided, and the court on motion may make an order, allowing such continuance, and directing pleadings to be made and issues framed conformably to the practice in action begun under this section.

Approved April 20, 1943.

CHAPTER 539—S. F. No. 471.

(AMENDING SECTION 100.06 MINNESOTA STATUTES 1941.)

An act relating to wild animals and the manner of taking big game, amending Laws 1941, Chapter 482.