

Sec. 38. **Effective date.** This act shall take effect January 1, 1946.

Approved April 23, 1945.

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CHAPTER 513—S. F. No. 365

*An act relating to the time within which certain actions may be commenced; and amending Minnesota Statutes 1941, Section 541.07.*

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

Section 1. Minnesota Statutes 1941, Section 541.07, is hereby amended to read as follows:

**541.07. Two year limitations.** The following actions shall be commenced within two years:

(1) For libel, slander, assault, battery, false imprisonment, or other tort, resulting in personal injury, and all actions against physicians, surgeons, dentists, hospitals, sanitariums, for malpractice, error, mistake or failure to cure, whether based on contract or tort; provided a counter-claim may be pleaded as a defense to any action for services brought by a physician, surgeon, dentist, hospital or sanitarium, after the limitations herein described notwithstanding it is barred by the provisions of this chapter, if it was the property of the party pleading it at the time it became barred and was not barred at the time the claim sued on originated, but no judgment thereof except for costs can be rendered in favor of the party so pleading it;

(2) Upon a statute for a penalty or forfeiture to the state;

(3) For damages caused by a dam, other than a dam used for commercial purposes; but as against one holding under the preemption or homestead laws, such limitations shall not begin to run until a patent has been issued for the land so damaged;

(4) Against a master for breach of an indenture of apprenticeship; the limitation, in such case, to run from the expiration of the term of service;

(5) *For the recovery of wages, overtime, damages, fees or penalties accruing under any federal or state law respecting*

*the payment of wages, overtime, damages, fees or penalties, (the term "wages" as used herein shall mean all remuneration for services or employment, including commissions and bonuses and the cash value of all remuneration in any medium other than cash, where the relationship of master and servant exists);*

**Sec. 2. Retroactive; limitation.** Causes of action accruing prior to the date hereof, and barred by the provisions hereof, shall be commenced within six months after passage of this act, provided that nothing contained herein shall affect any action or suit for the recovery of wages, overtime, damages, fees or penalties pending at the time of the passage of this act.

Approved April 23, 1945.

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#### CHAPTER 514—S. F. No. 401

*An act providing for the establishment and maintenance of the Count Beltrami monument in Beltrami County.*

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

**Section 1. Commissioner to accept land.** The commissioner of conservation is authorized to accept in the name of the state a deed to a tract of land not less than one acre in area covering the height of land in the Northeast quarter of the Northeast quarter (NE $\frac{1}{4}$  of NE $\frac{1}{4}$ ) of Section 8, Township 148, Range 33, West of the principal meridian, in Beltrami County, and when so received, said tract of land shall be dedicated to the establishment of a monument in honor of Count Beltrami to commemorate the discovery of the height of land on the Continental Divide on the 23rd day of August, 1823.

**Sec. 2. Appropriation.** There is hereby appropriated to the director of the division of State Parks, from any moneys in the state treasury not otherwise appropriated, the sum of \$500 for the purpose of erecting a monument and other markers and embellishments upon such lands when and if received by the state in conformity with the provisions of section 1, to illustrate the importance of the historical event therein described.