

sailor, or a reduction of his compensation intended to bring about his resignation or discharge, entitled such honorably discharged soldier, sailor or marine to a right of action therefor in any court of competent jurisdiction for damages, and also for a remedy for mandamus for righting the wrong.

**Sec. 2. Writ of mandamus for removal.**—Any person whose rights may be in any way prejudiced contrary to any of the provisions of this section, shall be entitled to a writ of mandamus to remedy the wrong. No person holding a position by appointment or employment in the state of Minnesota or in the several counties, cities or towns thereof, who is an honorably discharged soldier, sailor or marine having served as such in the army and navy of the United States in the late civil and *Spanish and Philippine insurrection wars, and the China relief expedition* shall be removed from such position or employment except for incompetency or misconduct shown after a hearing, upon due notice, upon stated charges, and with the right of such employe or appointee to review by writ of certiorari. The burden of proving incompetency or misconduct shall rest upon the party alleging the same. Nothing in this act shall be construed to apply to the position of private secretary or deputy of any official or department, or to any person holding a strictly confidential relation to the appointing officer.

**Sec. 3.** This act shall take effect and be in force from and after its passage.

Approved April 21, 1917.

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#### CHAPTER 500—H. F. No. 597.

*An act to prohibit hunting or killing game by foreign born residents who are not citizens of the United States, or who have not legally declared their intention of becoming citizens, except in lawful defense of person or property, making it unlawful for any such foreign born resident to either own or be possessed of a shot-gun or rifle or other firearms of any make; providing that any person who has not become a citizen of the United States or who does not declare his intention in accordance with law, of becoming a citizen of the United States, may hunt for or capture or kill game animals and game birds subject to the same laws and regulations as govern the taking of game animals or game birds in this state; declaring that each and every person violating the provisions of this act shall be guilty of a misdemeanor and providing penalties for the violation thereof.*

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

**Section 1.** Foreign born residents prohibited to own or be possessed of shot gun, rifle or other fire arms, and punishment

for violation.—That it shall be unlawful for any foreign born resident of this state who has not become a citizen of the United States, or who has not declared his intention, in accordance to law, of becoming a citizen of the United States, to hunt for or capture or kill in the state of Minnesota any wild bird or animal, either game or otherwise, of any description, except in lawful defense of person or property, and to that end it shall be unlawful for any such foreign born resident within this state to either own or be possessed of a shotgun or rifle, or other fire-arms of any make. Provided that any person who has not become a citizen of the United States, or who has not declared his intention, in accordance to law, of becoming a citizen of the United States, may hunt for or capture or kill game animals and game birds subject to the same laws and regulations as govern the taking of game animals or game birds in this state by non-residents.

Each and every person violating the provisions of this act shall be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine of not less than twenty-five (\$25.00) dollars for each offense, or by imprisonment in the county jail for not less than thirty (30) days.

Sec. 2. **Subject to contraband.**—All guns, or game birds or animals, or other birds or animals, had in possession contrary to the provisions of this act are declared to be contraband and shall be seized by any game warden, or other officer, and shall be sold by the state game and fish commissioner as provided by law.

Sec. 3. This act shall take effect and be in force from August 1, 1917.

Approved April 20, 1917.

#### CHAPTER 501—H. F. No. 638.

*An act to amend Section 4808 of the General Statutes of Minnesota of 1913, as amended by Chapter 352 of the General Laws of 1915, relating to number of fish allowed and manner of taking.*

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

Section 1. **Not more than 25 pickerel or buffalo fish, ten white fish, one sturgeon, to be taken by individual in one day.**—That section 4808 of the General Statutes of Minnesota of 1913 as amended by chapter 352 of the General Laws of 1915, be hereby amended to read as follows:

Section 4808. No person shall catch, take or kill more than twenty-five (25) crappies or trout of any variety, fifteen pike-perch or wall-eyed pike, fifteen (15) bass of any variety except