

officer, board or person shall appoint said soldier, sailor or marine to such position or place of employment.

A refusal to allow the preference provided for in this and the next succeeding section to any honorably discharged soldier, 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. 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, *and the late world war wherein the United States of America and the Allied Nations, of England, France, etc., were engaged in war against the Imperial German Government and its Allies*, 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 February 17, 1919.

CHAPTER 15—S. F. No. 237.

An act to repeal Chapter 303, Special Laws of the State of Minnesota for 1883, relating to the compensation of County Commissioners in Goodhue County, Minnesota.

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

Section 1. Chapter 303, S. L. 1883, repealed.—That chapter 303, Special Laws of the State of Minnesota for 1883, be and the same hereby is repealed.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved February 17, 1919.