

## CHAPTER 263—H. F. No. 984.

*An Act regulating appointments, employment and removals in public departments and upon public works in the State of Minnesota, and the counties, cities and towns thereof, relating to state, judicial, county, township, city and town officers.*

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

**Section 1. Preference in appointments and promotions.** That in every public department and upon all public works in the State of Minnesota, and the counties, cities and towns thereof, honorably discharged soldiers, sailors and marines from the army and navy of the United States in the late Civil War, who are citizens and residents of this state, shall be entitled to preference in appointments, employment and promotion over other persons of equal qualifications, and the persons thus preferred shall not be disqualified from holding any position hereinbefore mentioned on account of his age or by reason of any physical disability, *provided* such age or disability does not render him incompetent to perform properly the duties of the position applied for, and when such soldier, sailor or marine shall apply for appointment or employment under this act, the officer, board or person whose duty it is or may be to appoint or employ such person to fill such position or place, shall, before appointing or employing any one to fill such position or place, make an investigation as to the qualifications of said soldier, sailor or marine for such place or position, and if he is a man of good moral character and can perform the duties of said position applied for by him, as hereinbefore provided, said officer, board or person shall appoint said sailor, marine or soldier to such position, place or employment. A refusal to allow the preference provided for in this and the next succeeding section to any honorably discharged soldier, sailor or marine, or a reduction of his compensation intended to bring about his resignation or discharge, entitles such honorably discharged soldier, sailor or marine to a right of action therefor in any court of competent jurisdiction for damages, and also a remedy for mandamus for righting the wrong.

**Sec. 2. Removals.** 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 coun-

ties, cities or towns thereof, who is an honorably discharged soldier, sailor or marine having served as such in the Union army or navy during the late Civil War, 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 employee 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. **In effect.** This act being deemed of immediate importance, shall take effect and be in force from and after its publication.

Approved April 19, 1907.

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CHAPTER 264—H. F. No. 1008.

*An Act to authorize and empower the city council or common council of cities of this state of over 50,000 inhabitants to issue and sell municipal bonds and to use the proceeds thereof for defraying the cost of making certain local improvements in intersections of streets and in front of property exempt by law from special assessments.*

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

**\$175,000 bond issue permitted.**—Section 1. The city council or common council of each and every city of this state now or hereafter having over 50,000 inhabitants, in addition to all the rights and powers heretofore granted thereto by law, is hereby authorized and empowered, for the purpose herein designated, to issue from time to time, as needed, the negotiable bonds of their respective city to an amount in the aggregate not to exceed \$175,000, said bonds to be made in such denominations and payable at such places and at such times not exceeding thirty (30) years from the date thereof, as may be deemed best, and to bear interest at a rate not to exceed 4 per cent per annum, payable semi-annually and with interest coupons attached, payable at such place or places as shall be designated therein, and said city council or common