

(c) Inefficiency in performing duties;

(d) Determination on the part of the department head *with the consent of the commission* to permit the position to become or remain vacant. When it is determined that such position shall be re-filled, such discharged employee shall have the first right to be re-employed therein.

Subd. 2. There is hereby excepted from the tenure provisions of subdivision 1 of this section the persons occupying the following positions:

(a) One chief deputy or principal assistant and one secretary for each of the offices of the county attorney, county auditor, clerk of district court, coroner, register of deeds and county treasurer;

(b) The clerk and court reporter of the probate court;

(c) The chief deputy, chief criminal deputy and secretary of the office of sheriff;

(d) *Extra and emergency help.*

Approved April 20, 1951.

CHAPTER 637—S. F. No. 512

An act relating to divorce; amending Minnesota Statutes 1949, Section 518.06.

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

Section 1. Minnesota Statutes 1949, Section 518.06, is amended to read as follows:

518.06 **Grounds.** A divorce from the bonds of matrimony may be adjudged by the district court for any of the following causes:

- (1) Adultery;
- (2) Impotency;
- (3) Cruel and inhuman treatment;
- (4) Sentence to imprisonment in any state or United States prison or any state or United States reformatory subsequent to the marriage; and in such case a pardon shall not restore the conjugal rights;
- (5) Wilful desertion for one year next preceding the commencement of the action;
- (6) Habitual drunkenness for one year immediately preceding the commencement of the action;
- (7) Incurable insanity, provided that no divorce shall be granted upon this ground unless the insane party shall have been under regular treatment for insanity, and because thereof, confined in an institution for a period of at least five years immediately preceding the commencement of the action; in granting a divorce upon this ground, notice of the pendency of the action shall be served in such manner as the court may direct, upon the nearest blood relative and guardian of such insane person and the superintendent of the institution in which he is confined; such relative or guardian and superintendent of the institution shall be entitled to appear and be heard upon any and all issues; the status of the parties as to the support and maintenance of the insane person shall not be altered in any way by the granting of the divorce;
- (8) Continuous separation under decree of limited divorce for more than five years next preceding the commencement of the action, and continuous separation under an order or decree of separate maintenance for a period of two years immediately preceding the commencement of the action.

A decree of divorce may be adjudged to either husband or wife notwithstanding that both have conducted themselves in such manner as to constitute grounds for divorce.

Approved April 20, 1951.