

SEC. 4. All taxes levied under the provisions of the foregoing section, when collected and paid into the State treasury, shall be placed to the credit of the general revenue fund.

Disposition of funds.

SEC. 5. All accumulations of the interest fund in excess of the amount required to pay interest on State indebtedness, shall be transferred to the sinking fund.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved February 23, 1881.

CHAPTER 108.

AN ACT PROVIDING FOR THE SUSPENSION AND REMOVAL OF COUNTY TREASURERS, FOR THE MALFEASANCE OR NONFEASANCE IN OFFICE AND FOR THE APPOINTMENT OF COUNTY TREASURERS AD INTERIM.

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

SECTION 1. Whenever it shall appear from the report of the Public Examiner that the Treasurer of any county has been guilty of malfeasance or nonfeasance, in the performance of his official duties, the Governor may suspend such Treasurer from office, if he shall deem the public interests so to require.

Malfeasance or nonfeasance

suspension by the governor.

SEC. 2. In case of such suspension, the Governor shall immediately notify the Auditor of the county, who shall at once give notice to the Commissioners of said county of such suspension, and call a meeting of the board to be held at the earliest possible date, and within five (5) days from date of said notice. It shall be the duty of said Board of Commissioners to convene at the time mentioned in such notice, and to appoint a County Treasurer *ad interim*, and such person shall qualify according to the provisions of section one hundred and forty-five (145), of chapter eight (8) of the General Statutes, one thousand eight hundred and seventy-eight (1878) whereupon the suspended Treasurer shall deliver to such Treasurer *ad interim* all the public property, money, books, accounts, papers and documents in his possession.

Commissioners may appoint.

Hearing.

SEC. 3. The suspended Treasurer may notify the Governor that he desires a hearing upon the charges made, whereupon the Governor shall cause the charges to be reduced to writing, and furnish the Treasurer with a copy thereof.

SEC. 4. Upon the receipt of such notification the Governor shall appoint a special Commissioner to take and report testimony for and against such officer, to be used in determining his guilt or innocence.

SEC. 5. The Commissioner shall notify the Treasurer of the time and place of taking such testimony, and also the Attorney of the county who shall appear for the county upon such examination. Testimony.

SEC. 6. Such Commissioner, before entering upon his duties in taking such testimony, shall be sworn to truly and faithfully take and record the testimony of each witness, and report the same fully and impartially to the Governor within the time required by the Commissioner of his appointment.

SEC. 7. The Commissioner shall administer to each witness the oath required to be administered to witnesses testifying in courts of record of this State, and each witness shall subscribe his name to his testimony when reduced to writing by the Commissioner. Oath required.

SEC. 8. The Governor shall fix the time and place of hearing on the Commissioner's report, and shall give notice thereof to the Treasurer. If on such hearing the charges are sustained, the Governor shall make his order removing the Treasurer from office absolutely, and the person appointed by the Board of Commissioners shall continue to discharge the duties of Treasurer until his successor is elected and qualified. If upon such hearing the charges are not sustained, the Treasurer shall be restored to office. Notice of hearing.

SEC. 9. If the suspended Treasurer does not, within thirty (30) days from the date of the order of suspension, demand a trial, such neglect shall create a vacancy in the office which shall be filled by the Treasurer *ad interim*. Vacancy.

SEC. 10. The fees of Commissioners for such services as are required under this act, shall be the same as are now allowed by law to referees in actions brought in the District Courts of this State and the fees of witnesses shall be the same as are allowed to witnesses in the District Courts of this State. Said fees shall be paid out of the county treasury upon the allowance of the County Commissioners. Fees of commissioners.

SEC. 11. This act shall take effect from and after its passage.

Approved March 7, 1881.