

tion; *Provided further*, That no treasurer shall receive more than twenty-five hundred dollars for his services in any one year.

When act to take effect.

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

Approved March 4, 1871.

CHAPTER LXXXIX.

February 21, 1871

An Act to amend Section one hundred and thirteen, of Chapter eight, of the General Statutes relating to County Auditors.

ENACTED 1. Amendment to Section one hundred and thirteen (113), Chapter eight (8), General Statutes. Penalty for neglect of duty.

2. When act to take effect.

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

SECTION 1. That section one hundred and thirteen, of chapter eight, of the general statutes, be amended so as to read as follows:

Penalty for neglect of duty.

Section 113. If any county auditor fails to make settlement, or pay over all moneys with which he stands charged at the time and in the manner prescribed by law, or misapplies any money which comes into his possession in the discharge of his official duties, the county commissioners shall commence an action against such auditor and his sureties, in the district court of said county, or other court of competent jurisdiction. And when complaint in such action is made, the said commissioners shall cause a copy thereof to be forthwith furnished to the governor of the state who shall, if the complaint alleges any of the acts of neglect, or offences hereinbefore recited, suspend such auditor temporarily, and cite him to appear and show cause why such suspension should

not continue during the pendency of the action. Either party may produce competent evidence by affidavits or otherwise at the time of such hearing, and if there appears to be reasonable grounds to support the charges of said complaint, the governor may continue such suspension during the pendency of the action, otherwise he shall restore him to office. In case of suspension, under the provisions of this section, such auditor, if restored to office shall not be deprived of his salary during the time of suspension, and his reasonable expenses in defending himself upon such hearing before the governor shall be paid by the county. If upon the trial of such action such auditor is adjudged guilty of any neglect of duty, or offense charged, the office shall be deemed to be vacant.

SEC. 2. This act shall take effect and be in force from and after its passage. When act to take effect.

Approved February 21, 1871.

CHAPTER XC.

An Act to amend Section one hundred and twenty-four of Chapter eight of the General Statutes relating to County Auditors.

March 4, 1871

- SECTION 1. Amendment to section one hundred and twenty-four (124), chapter eight (8), General Statutes. Salary of County Auditor.
2. Repeal of inconsistent acts.
 3. When act to take effect.

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

SECTION 1. That section one hundred and twenty-four of chapter eight of the general statutes be amended so as to read as follows:

Sec. 124. The salary of the county auditor shall be