

## CHAPTER XXXVII.

*An Act to provide payment for services of Commissioners appointed by the Governor to take and Report Testimony in certain cases.* March 4, 1872.

- SECTION 1. Relating to the appointment of commissioners to take testimony, on charge preferred against officers.
2. Commissioners to be sworn before entering upon duties.
  3. Witnesses before commissioners to be sworn.
  4. Fees of commissioners, and by whom paid.
  5. Relating to commissioners heretofore appointed, and providing for payment of fees.
  6. When act to take effect.

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

SECTION 1. Whenever charges are duly made against any officer under chapter nine (9) of the general statutes, and acts amendatory thereto, relating to resignations, vacancies and removals, the governor shall appoint special commissioners to take and report testimony for and against such officer, to be used in determining his guilt or innocence.

Charges  
against officers,  
commissioners  
to be appointed

SEC. 2. Each commissioner, before he enters 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 commission of his appointment.

Commissioners  
to be sworn.

SEC. 3. The commissioners 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 commissioners.

Witnesses to  
be sworn.

SEC. 4. The fees of commissioners for such services shall be the same as now allowed by law to referees in actions brought in the district courts of this state, and shall be paid out of moneys not otherwise appropriated on the order of the governor, and on presentation of such order to the auditor of the state, he shall draw his warrants on the state

Fees of com-  
missioners.

treasurer in favor of the person entitled to the same: provided, that when testimony is taken for and against a county officer, like fees of the commissioners shall be paid by the county wherein such officer was elected, and be allowed in the same manner as other claims against the county.

Commissioners  
heretofore ap-  
pointed to have  
same fees.

SEC. 5. Commissioners heretofore appointed by the governor to take and report testimony for and against an officer charged with malfeasance or nonfeasance in office, under chapter nine of the general statutes, shall be paid like fees and in same manner as is required by section four of this act: and in all cases where testimony has been or shall be taken by the commissioners appointed by the governor in such cases, the county commissioners of the proper county may, if they they think it advisable, allow and pay reasonable compensation to counsel, for attending to the prosecution of such cases, not exceeding ten dollars per day for the time actually engaged before the commissioners, and may allow witnesses fees for the prosecution, the same as is allowed to witnesses in cases in the district court of the state.

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

Approved March 4, 1872.