

treasurer in the state and one to each official county paper in the state. In each case when the State Treasurer causes to be printed a report as herein provided, he shall cause to be published in the official paper of Burleigh County, a public notice to the effect that such report is ready for distribution and can be had by any voter of the state upon request.

Approved March 7, 1927.

PUBLIC OFFICERS

CHAPTER 230

(S. B. No. 176—Sathre and Forbes)

REMOVAL PUBLIC OFFICERS BY GOVERNOR—APPEALS

An Act to Amend and Re-enact Section 690 of the Supplement to the 1913 Compiled Laws, Relating to the Removal of Public Officers by the Governor and Appeals Therefrom.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. That Section 690 of the Supplement to the 1913 Compiled Laws be amended and re-enacted to read as follows:

§ 690. Whenever testimony has been taken upon charges filed against any officer, as hereinbefore provided, it shall be the duty of the special commissioner to forthwith report all such testimony and proceedings, to the Governor, and file the same in his office, and thereupon the Governor shall fix a time and place for the hearing on a day not more than ten days from the date of filing of the commissioner's report, and not less than five days from the date of the service of notice of such hearing upon the accused, at which hearing the accused shall be entitled to be heard in person or by attorney. If upon such hearing the charges are sustained, the Governor shall forthwith make the order in writing removing such officer from his office and cause a copy of such order to be delivered to the accused and one copy to be delivered to the board or persons having the authority to fill a vacancy in such office, and thereupon such board or person shall, within five days thereafter, appoint some competent person to fill such office and perform the duties thereof, unless the accused had, prior to the final hearing, been suspended as hereinabove provided, and an ad interim appointment made. In such case the person appointed to such office ad interim shall continue until the expiration of the term for which the accused was elected or appointed; provided, however, that in all cases where the accused person so removed deems himself aggrieved thereby, he shall be entitled to appeal from the decision of removal so made by the Governor, to the district court in any other district of the state upon fil-

ing a notice in the office of the Clerk of the District Court, setting forth the grounds of appeal, together with a bond in the sum of \$250.00, which shall be for the payment of costs of said appeal in the event said action of the Governor shall be affirmed; said bond to be approved as to form by the State's Attorney of said county and as to its sufficiency by the Clerk of the District Court. Said notice and bond shall be filed within fifteen days after the date of the order by the Governor. Thereupon the Clerk of the District Court shall notify the Governor of the filing of said appeal by registered mail and the Governor shall within ten days after the receipt of said notice, mail to the Clerk of said court the testimony in said removal proceedings, together with a copy of any order made by him in said proceedings. Said appeal shall be heard by the Judge of said court upon the record in said proceeding, without a jury, at the next regular term of said court or prior to said term, in the discretion of the Judge of said court. After such hearing by the district judge, he shall make his order affirming the order of the Governor or an order reinstating the defendant officer.

Approved March 7, 1927.

RAILROAD COMMISSIONERS

CHAPTER 231

(S. B. No. 74—Sathre)

APPOINTMENT OF EXAMINERS BY RAILROAD COMMISSIONERS

An Act Authorizing and Empowering the Board of Railroad Commissioners to Appoint Examiners for the Purpose of Holding Hearings, and Prescribing the Powers and Duties of Such Examiners.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. The Board of Railroad Commissioners of North Dakota is hereby authorized and empowered to designate the special assistant attorney general appointed by the Attorney General as commerce counsel of said Board the Chief Statistician or the Chief Engineer of said Board, as an examiner for the purpose of holding any hearing or hearings which the said Board, or any member thereof, has power and authority to hold. Such examiner, when so appointed, shall have the power to administer oaths and affirmations, issue subpoenas, compel attendance and testimony of witnesses, the production of papers, books, accounts and documents, examine witnesses, and to act in and about such hearing or hearings with the same power and authority that has been or will be invested by law in said Board