procedure; they have been, I am informed, heretofore audit-
ed and paid without reference to sec. 20.01 (10), and that
section, when enacted by ch. 654, Laws 1911, contained this
clause:

"Nothing in this act shall in any manner limit or change
the appropriations made for the expenses of the legisla-
ture."

I am of the opinion that sec. 20.01 (10) was intended to cov-
er contingent expenses other than such ordinary legislative
expense as witness fees. The manner in which the disburse-
ments are guarded indicates that it is to cover matters of a
more or less extraordinary character.

I am of the opinion, further, that the fees and mileage
as fixed by sec. 13.30 should be followed in the payment of
the witnesses, although that section, in its present form, is
on its face confined to witnesses subpoenaed under sec.

My advice to your committee, therefore, is that you sub-
poena witnesses as provided in the resolution, and certify
their fees and mileage to the secretary of state, in the
amounts provided by sec. 13.30.

In case the witness shall fail to attend and testify, I ad-
vise you to proceed under sec. 325.12, instead of under the
provisions of resolution No. 99, A. That section provides
ample authority in judicial officers to compel attendance by
attachment and to commit the witness until he shall purge
himself of his contempt by testifying.

FMW