

vices rendered or to be rendered, and expenses incurred or to be incurred in the prosecution of said claims, except the commission contingent upon their success, and hereinbefore allowed them, on such amount as may be recovered by them as aforesaid, and paid into the Treasury of said State.

SEC. 2. *And be it further enacted,* That the Comptroller of the Treasury be and he is hereby authorized and directed to issue his warrant to the Treasurer, to pay to the said Daniel Clarke and Sidney J. Wailes; a commission of thirty per cent. on the first ten thousand dollars, and a commission of twenty per cent. on such further sum as shall be recovered by them and paid by the Government of the United States into the Treasury of said State upon the said claims, and that the said commissions shall be payable upon the several amounts received on said claims as they are paid into the Treasury.

Comptroller directed to issue warrant to pay.  
Rate of commissions.

SEC. 3. *And be it further enacted,* That unless the said Commissioners shall, within thirty days after the passage of this Act, notify the Governor of their acceptance of their appointment as such Commissioners, in writing, under the terms and provisions of this Act, they shall be deemed to have refused to accept said appointment and to act as such Commissioners; and in the event of the death, refusal or failure to accept said appointment, and to act as such of the Commissioners hereinbefore named, or either of them, the Governor is hereby authorized to fill the vacancy caused by such death, refusal or failure, and the Commissioners or Commissioner appointed to fill such vacancy, shall be invested with all the power and authority, and entitled to the same compensation, to be drawn from the Treasury in the same manner as if the said Commissioners or Commissioner were named in this Act, in the stead of the Commissioners or Commissioner, so as aforesaid dying, or refusing, or failing to act as such.

Failure to notify the Governor of acceptance to be deemed refusal to serve.

SEC. 4. *And be it enacted,* That this Act shall take effect from the date of its passage.

In force.

Approved April 1, 1872.