

of the principal debt, in his discretion, so as best to subserve the interest of the State, and shall grant discharges to the said parties and their securities, upon the payment into the treasury, of the amount required by him to be paid in the settlement as aforesaid; provided, however, that the governor and treasurer, for the time being, shall each approve, in writing, any such abatement, before the same shall be effective; and provided further, that no discharge or acquittance under this section shall be effective, unless the party or parties to be benefited by the same, shall first pay the attorney who shall have the case in hand, the legal fees and all fees of clerks or sheriffs.

1884, ch. 116, sec. 2.

38. For the purpose of bringing all unsettled balances due the State to a speedy settlement, the comptroller is directed to employ such attorney or attorneys as in his judgment will best subserve the interest of the State.

Ibid. sec. 3.

39. In all cases where the comptroller shall require the services of an attorney or attorneys to assist him in executing section 37 of this article, he may allow such attorney or attorneys, as compensation, a commission of ten per cent. on any State claim such attorney or attorneys may collect or assist him in collecting, where the amount of such claim does not exceed the sum of five hundred dollars, and a commission of five per cent. on all sums which such attorney or attorneys may collect or assist in collecting as aforesaid, where the claim exceeds the sum of five hundred dollars.

Ibid. sec. 4.

40. Whenever any claim of the State shall be compromised or settled by the comptroller, without payment in full, he shall make and keep among the records of his office, a statement of the evidence or facts upon which such settlement was made.