

XXXIX. *And be it further Enacted,* That in Case of the Death of the said Agents, or either of them, or their or either of their Refusal to execute the Trust aforesaid, that then and in every such Case, it shall and may be lawful to and for the said *Horatio Sharpe*, Esq; or the Governor or Commander in Chief of this Province, for the Time being, by Warrant under his Hand, to appoint one or more fit Person or Persons to be Agent or Agents, in the Stead of such Agent or Agents dying or refusing as aforesaid, who shall have all the Powers and Authorities by this Act given to the Agents before nominated and appointed, having first given Bond and Qualified as before directed; which Bond shall be proved, recorded, transmitted and kept as aforesaid; and an attested Copy thereof as aforesaid, to be Evidence as aforesaid.

XL. *And be it further Enacted,* That the said Agents shall, and they are hereby directed and required to keep fair, distinct and regular Accounts of all such Sums of Money as they shall receive in Virtue of this Act, and how the same has been paid, applied and expended; and the same shall deliver in compleat and upon Oath, on or before the Third Day of every Session, to the General Assembly of this Province. And the said Agents, for their Trouble in executing and performing their Duty by this Act required, shall and may retain in their Hands a Commission of Two Pounds *per Centum*, and no more, on all such Sums of Money as they shall receive, apply and expend, as aforesaid.

XLI. And whereas it is thought needful, more especially at this Time of imminent Danger, to cultivate the Friendship, and engage the Assistance of the Southern Tribes of *Indians* against his Majesty's Enemies, and establish them in the *British* Interest; *Be it therefore Enacted,* That a Sum or Sums not exceeding Two Thousand Pounds, shall be drawn for and received by the said Agents, out of the Hands of the Commissioners or Trustees aforesaid; which said Sum or Sums the said Commissioners or Trustees shall, and they are hereby obliged and required immediately on Demand to pay to the said Agents, and regular Accounts thereof keep: And the said Agents shall, and they are hereby directed to lay out the said Sum of Two Thousand Pounds, retaining a Commission of Two Pounds *per Centum*, in the purchasing or sending to *England* for, as they may think most advantageous, such Goods as they shall judge may be most acceptable to the said *Indians*, and to lodge them in some convenient and secure Store-House in *Frederick-Town*; and when and as often as any Party or
Parties