

“ or the *survivor or survivors* of them, shall by Writing under their  
 “ Hands Order and Direct the same, and *not Otherwise*.” And then the  
 last Clause in these Words, *viz.* “ And be it further Enacted by the Au-  
 “ thority aforesaid, That the Money arising by the Duty aforesaid, shall  
 “ be applied towards the Payment of an Agent to be Employed for this  
 “ Province to reside at *London in Great Britain, and to such other Uses*  
 “ *and Purposes* as shall from Time to Time be thought Necessary by  
 “ the *Trustees* aforesaid, or the survivors of them, and not otherwise.”  
 Now let us consider the Duration, Power and Temptation, which the  
 Trustees must have had under such a Law: First as to their Duration;  
 we say, they could not have been removed from the Trusteeship during  
 the Continuance of that Law; for after the Speaker had once executed  
 his Authority of signifying under his Hand the Appointment of the  
 Trustees, there could not be another Appointment before all the Trustees  
 should be Dead, because the other Parts, and the last Clause of the Bill,  
 expressly direct, the Trust to be Executed by the *survivors or survivor*:  
 Secondly, as to their Power, it is without Bounds, they might have done  
 either as much or as little as they pleased; nor is there one thing taken  
 notice of in the Bill as the proper Business of the Trustees, except Fin-  
 gering the Money, and making some Application of it (but how much is  
 not mentioned) towards Payment of an Agent; so that one would be apt to  
 imagine, this Bill had been calculated principally to gratify these same  
 Trustees: Thirdly, let us examine how they might Compliment each o-  
 ther out of this Fund, without ever being Accountable for any Embezle-  
 ment or Misapplication. The *Six Pence* per Hoghead intended to be  
 raised by this Bill may be calculated to amount, *Communibus Annis*, to  
 700 *l. Sterling per Annum*, the Salary formerly allowed by this Province  
 to an Agent used to be 100 *l. Sterling per Annum*, but suppose this to be  
 increased to 150 or 200 *l. Sterling per Annum*, there would then re-  
 main 500 or 600 *l. Sterling per Annum*, and in the whole three Years to  
 1500 or 1800 *l. Sterling*, in their Hands or Power, which they might  
 dispose of to such Uses and Purposes, as they should from time to time  
 think Necessary; so that whether they applied it to the Use and Service  
 of the Province, or to their own use (which they might judge Necessary)  
 they could not be accountable for more than they might think fit to give  
 their Agent: For if they should have been Questioned, upon laying their  
 Account before the House of Delegates What they had done with the  
 Money, they might truly say, that the Law was very Express, that they  
 should have Liberty of Applying the Money to such Uses and Purposes as  
 they *judged Necessary*, which they had accordingly done, and that They  
 and none Others were the proper Judges of the *Necessity of such Uses and*  
*Purposes*: Besides, the Bill is so drawn in other Parts, which relates to  
 the Accounting, that by no Rules of Construction, the Trustees could  
 have been Answerable for that Money: But what we have said is sufficient  
 for the present Purpose.

Hence you and the rest of the World may now Judge, who acted with  
 a proper Care in the disposal of the Country's Money; You, who Voted  
 so large a Sterling Sum as 500 or 600 *per Annum* for Three Years, to be  
 disposed of by certain Persons called Trustees *as they should think fit*; or  
 We, who neither then would or now will Concur in such a Vote; And it  
 would