

benefit of my daughter, Henrietta Maria Hall, and her children, and my will and desire is that the said trustees shall not be compelled to pay into the hands of Richard Hall, the husband of the said Henrietta Maria Hall, any part of the proceeds of the said land, but that the same shall remain in the hands of said trustees during the life of the said Richard Hall, and that any receipts or writings witnessing the payment of such proceeds or profits to my said daughter, Henrietta Maria Hall, shall be a sufficient discharge of said trustees, and I do hereby authorize and empower the said trustees, or the survivor of them, to sell and dispose of the said land at any time they or the survivor of them shall think proper, and to invest the proceeds of such sale in other land or in bank stock, as they or he may deem most advantageous. And I do hereby authorize and empower the said trustees to convey the said land in case they should think proper to sell the same to the purchaser or purchasers thereof by a good and sufficient deed or deeds."

The other facts in the case are sufficiently stated in the Chancellor's opinion, delivered on the 7th of November, 1853.]

THE CHANCELLOR :

The present controversy arises upon the petition of George H. Stewart, executor of the late William Stewart, filed on the 22d of January, 1846, and relates to the disposition of the money paid into court under the order of the 30th of September last, being the proceeds of the note of William D. Clagett, given to the late Somerville Pinkney, acting as solicitor and agent of Henrietta M. Hall, one of the complainants in the original suit.

The proceedings in that case, which will be found reported in 9 *Gill and Johns.*, 80, need not be recapitulated here, but its results and the compromise and settlement which was finally made, are sufficiently explained in this case, a report of which will be seen upon reference to 2 *Md. Ch. Decisions*, 151.

Whilst this latter case was in progress, the present petition was filed, and by it the petitioner claims a portion of the money upon the ground that on the 22d of October, 1835, the said