

BLAND, C., 14th April, 1829.—This case standing ready for hearing, the solicitors of the parties were fully heard and the proceedings read and considered.

Ann Russell, a resident of London, and a subject of the British monarch, having a large estate and many descendants, some of whom were natives and residents of England, and others residents and citizens of the United States, on the 23rd of January, 1796, made her will, and some time after died; in which will is found, among others, the following bequest;

“I give to William Dawson, of Wakefield, in the County of York, and to my said grandson Robert Clerk, their executors, administrators and assigns, the sum of £1,500, upon trust, to invest the same in their or his names or name, in the public stocks or funds, or at interest upon parliamentary, government, or real securities. And to stand possessed of the said last mentioned £1,500, or of the stocks, funds or securities in or upon which the same shall be invested, upon trust, to pay and apply the interest and dividends thereof unto and for the sole and separate use of my granddaughter Margaret Russell Clerk, the wife of James Clerk, of Park Hall, in the Province of Maryland, in North America, during her natural life. And for which interest and dividends the receipt of the said Margaret Russell Clerk, or of such person or persons as she shall appoint to receive the same shall, notwithstanding her present, or any future coverture, be good discharges. And from and after the decease of the said Margaret Russell Clerk, then upon trust to assign, transfer and pay the said last mentioned sum of £1,500, or the stocks, funds, or securities in or upon which the same shall be invested as aforesaid, unto all the children of my said granddaughter * Margaret Russell Clerk, who shall be living at her death; and who being a son, or sons, shall then have attained, or shall afterwards live to attain the age of twenty-one years; or who being a daughter or daughters shall then have attained the age of twenty-one years, or been married, or shall afterwards live to attain that age, or be married, to be equally divided between such children, if more than one, as tenants in common. But if my said granddaughter Margaret Russell Clerk, shall have only one child living at her death, who being a son, shall then have attained, or shall afterwards live to attain the age of twenty-one years; or who being a daughter, shall then have attained the age of twenty-one years, or been married; or shall afterwards live to attain that age or be married, then upon trust to assign, transfer and pay the said last mentioned sum of £1,500 or the stocks, funds, or securities in or upon which the same shall be invested as aforesaid, unto such only child for his or her own absolute use. And in case my said granddaughter Margaret Russell Clerk, shall have no child or children who shall live to become entitled to the said last mentioned sum of £1,500, or the stocks, funds or securi-