

events, to be maintained and educated by them; and, under that impression, they have made some advances to the father on that account. I shall, therefore, on the ground of allowing that to stand which appears to have been well intended, and might have been ordered, affirm the auditor's report, in this respect, awarding so much, as therein stated, to be paid to the father.

Trustees are never charged, in any way, but on the ground of some fault or neglect. Here no misconduct can be imputed to these trustees; and therefore, the plaintiff Larkin Shipley's exceptions to the auditor's report must be overruled.

Whereupon it is decreed, that the trustees Richard G. Stockett and Henry Wayman without delay invest the residue of the amount of the legacy given to the said Ann Jones in such stocks or way * as may be suggested by the said Jones and wife as **433** heretofore allowed; and that the investment be made in the names of the trustees as directed by the order of the 20th of January, 1826. And it is further decreed, that the trustees Richard G. Stockett and Henry Wayman apply the yearly proceeds of the property devised and bequeathed by the testator Larkin Shipley to his nephew Larkin to his education only so long he may reside with his father. But, that the trustees, with the permission of the father of the infant Larkin Shipley, without delay, place him at some good grammar school in this State, there to be educated as directed by the testator until the further order of this Court; and that the said trustees pay all the expense, as well of his maintenance as of his education at such grammar school, if the said infant should not reside with his father, out of the annual income of his property so as aforesaid given to him. And it is further decreed, that subject to, and excepting the applications of the yearly proceeds herein before directed, the said trustees without delay invest all the moneys so as aforesaid given unto the said infant Larkin Shipley, as well the principal thereof as all accumulations of interest, dividends, rents, issues and profits arising from the property so devised and bequeathed; which have been or may hereafter be collected, accrue and come to their hands, exclusive of the principal sum secured by the said mortgage executed by the said Richard G. Stockett, which is hereby declared to be an investment for so much, in the stock of The Farmers Bank of Maryland; or in the stock of some one of the banks of the City of Baltimore which have been incorporated by the laws of this State; the said stocks to be transferred unto and held by and in the name of the said trustees or the survivor of them for the uses, intents, and purposes in the will in the proceedings mentioned; the interest or dividends thereon, as the same may become due and be collected, shall be applied as herein before directed. And it is further decreed, that the reports of the auditor, so far as regards the accounts of the said trustees; and also in so far as the same accords in