

The other proceedings in this case are fully stated below, and in the following opinions of the Chancellor.]

THE CHANCELLOR :

By a paper executed on the 20th of December, 1843, the late Chancellor Bland settled on his daughter, Mrs. Mayo, and his son, William G. Bland, certain shares of bank stock which, by the said paper, he declared he would hold in trust for them, the dividends, as they accrued, to be paid over to them equally, share and share alike. On the death of the daughter, one-half of the said stock to be transferred to her children, &c., and on the death of the son, the whole of the said stock to be transferred to his daughter, should she be then alive, if not, then the whole or the residue thereof to be transferred to her children, &c.

The declaration of trust appears to have been duly executed by the party making it, from its date until his death, which occurred in November last. But on the 2d of May, 1845, the late Chancellor made and executed a last will and testament in proper form, by which he gave to his said son certain beneficial interests, including this stock, and expressed in the instrument a desire that he should elect to take thereunder, and in the same will there are devises and bequests to the testator's daughter, Mrs. Mayo, upon whom, by the said declaration of trust, the other portion of the bank stock had been settled as therein provided.

To the widow of the testator, the whole of his property, real and personal, was given, with the exceptions mentioned, during her natural life, confiding to her the care and maintenance of his son, should he so long live. In the event of the death of the widow, living the son, and from the period of her death, the will gives the son, in addition to the other devises and bequests in his favor, a life annuity of \$600, the said annuity, with all other claims and property, so as aforesaid or thereby given to the son to be held in trust by the executor of the will, Captain Isaac Mayo, for the use and benefit of his son during his natural life, and no longer.