

Case No. 18,177.

YOUNG v. YOUNG.

[4 Cranch, C. C. 499.]<sup>1</sup>

Circuit Court, District of Columbia.

Nov. Term, 1834.

CHANGE OF TRUSTEES.

The trustee of a family settlement, in which infants are interested, may be changed by consent of the parties, upon a bill filed for that purpose only.

[Cited in brief in *Davis v. Bessehl*, 88 Mo. 442.]

This was bill in equity to change the trustee of a family settlement in which infants were interested, by consent of the parties. The sole object of the bill, and the whole relief prayed, was the change of the trustee, with the consent of the parties.

THE COURT, at first, had great doubt of its jurisdiction, in such a case, so as to discharge the present trustee from his obligation.

But Mr. C. Cox cited the following authorities, and THE COURT, in May, 1832, would have made a decree, but, as THE COURT required the new trustee to give security, because infants were interested, who could not consent, the decree was never signed.

The authorities cited were *Uvedale v. Ettrick*, 2 Ch. Cas. 130; *Lake v. De Lambert*, 4 Ves. 592; *Buchanan v. Hamilton*, 5 Ves. 722; 2 Com. Dig. tit. "Chancery," 4, W. 6, 7.

<sup>1</sup> [Reported by Hon, William Cranch, Chief Judge.]