

The latter practice, however, would be to file a bill for a bill a piece of money, and on a decree require the trustee or a special commissioner to make the bill, & execute the trust.

act in the future, by his past conduct, we may conclude a bill would not be made ⁱⁿ ~~a great while to come~~ ^{reasonable time}. A mere absence of a trustee from the state ~~which it might be anticipated~~ ^{but} of inconvenience, ^{will} not itself constitute a sufficient ground for ^{his} removal. He will still devote proper time and attention to the trust fund, to carry it out in good faith. But when in addition to his absence from the state, he gives no attention to his duties as trustee, a court is fully warranted in removing him, and appointing a suitable person, to carry the trust out. The wisdom of making such cases fully warranted in removing a trustee is determined by the decree which the court affirmed.

In this opinion the whole Court concurred.

Decree affirmed.

ppm Sill to el
23 Feb 80

A. Macfie

Opinion by
Macfie

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