

"with honesty of intention, and with a fair consideration of the subject, and the duty of the court generally is, to see that the discretion of the trustees had been thus exercised, and not to deal with the correctness of the conclusions at which they have arrived."

In our case we have proven the existence of all the above elements of a good execution of the power. It is admitted that Mr. Williams did consider the subject, that his motives were honest, and that his design was to exercise his judgment with a view to arriving at a correct conclusion. He denies that his intention was the fulfilment of his promise in violation of his duty. Complainants allege, however, that though the motive was right, the execution was imperfect by reason of the judgment being bad in quality.

"The amount to be allowed a *cestui que trust* was to be determined by the trustees at their discretion; and if such determination was made in good faith, and according to the best judgment of the trustees, it is not subject to the revision of this court." *Hawes v. Hawes*, 5 Cush. 454.

"Where trustees, with a discretion, act fairly and not corruptly or partially, a court of justice would do too much to control their acts." Lord Hardwicke in *Att'y-Gen'l v. Harrow*, 2 Vesey, 551.

In *Keckewich v. Marker*, 3 Mac. and Gor. 311, it was held that the court would protect the trustees "in the exercise of their power, there being an absence of all *mala fides*, or of any wanton or unreasonable exercise of their discretion." See cases collected in *note*.

"A corporation, as an individual, with such a power over an estate devoted to charitable purposes, would, in this court, be compelled to exercise that power, not according to the discretion of this court, but not corruptly." *Dummer v. Corporation*, 14 Vesey, 252.

The courts may compel school directors to perform their duties, or restrain them when they transcend their powers; but they cannot interfere where they exercise their unques-