**No. 44
EXECUTION OF TRUSTS**

*(Title)*

A.B., the above named plaintiff, states as follows:--

1. He is one of the trustees under an instrument of settlement bearing date on or about the ...... day of ..... made upon the marriage of E.F., and G.H., the father and mother of the defendant [or an instrument of transfer of the estate and effects of E.F., for the benefit of C.D., the defendant, and the other creditors of E.F.].

2. A.B., has taken upon himself the burden of the said trust, and is in possession of [or of the proceeds of] the movable and immovable property transferred by the said instrument.

3. C.D., claims to be entitled to a beneficial interest under the instrument.
[As in paras 4 and 5 of Form No. 1.]

6. The plaintiff is desirous to account for all the rents and profits of the said immovable property [and the proceeds of the sale of the said, or of the part of the said, immovable property, or movable, or the proceeds of the sale of, or part of, the said movable property, or the profits accruing to the plaintiff as such trustee in the execution of the said trust]; and he prays that the court will take the accounts of the said trust, and also that the whole of the said trust estate may be administered in the court for the benefit of C.D. the defendant, and all other person who may be interested in such administration, in the presence of C.D., and such other persons so interested as the court may direct, or that C.D. may show goods cause to the contrary.

[N.B. Where the suit is by a beneficiary, the plaint may be modelled, mutatis mutandis, on the plaint by a legatee.]