

of Grant Powell, the said Petitioner, Anne Jane Seymour, Charlotte Bleecker Ridout and Elizabeth Grogan and William Dummer Powell. (since deceased,) and the said Petitioners, Grant Powell and Catherine Mercer, and of William Dummer Powell, Mary Boyles Jarvis, the wife of William Botsford Jarvis and the said Anne Murray Gwynne.

"That the said Mary Boyles Jarvis, the wife of William Botsford Jarvis, departed this life on or about the eighth day of June, in the year of our Lord, one thousand eight hundred and fifty-two, intestate, leaving her surviving the following children, namely, the said Petitioners, Frances Anne
10 Merecith, Louisa Mary Nanton and Sarah Orde and William Dummer Jarvis and Colborne Jarvis, an infant under age.

"That the said William Dummer Powell, departed this life on or about the ninth day of August, in the year of our Lord, one thousand eight hundred and fifty-four, having duly made and published his last will and testament in writing, and whereof the said Clara Pigott Clarke is now one of
15 the Trustees.

"That after the said decease of the said Anne Powell, the said Executors and Trustees named in the said will and codicils, and being the said Elizabeth Powell, Samuel Peters Jarvis, William Botsford Jarvis, William Dummer
20 Powell, and John Ridout, assumed the general trusts of the said will and codicils, and for the purpose of dividing the said real estate in the said will and codicils mentioned, amongst the several parties beneficially entitled therein made partition thereof, and a deed of release to uses bearing date the twenty-second day of April, in the year of our Lord, one thousand eight
25 hundred and fifty-three, was made and executed by and between the several parties thereto as were then of full age and capable of legally binding their respective rights and interests by such partition.

"That the said Elizabeth Powell departed this life on or about the first day of December, in the year of our Lord, one thousand eight hundred and
30 fifty-five, having by her last will and testament duly appointed the Honorable William Benjamin Robinson and Lawrence W. Mercer her devisees in and thereof.

"That the Trustees nominated in and by the said codicils numbered nine and eleven, for the said Mary Sophia Coxwell and her children, and
35 the said John Powell and Eleanor his wife and their children, have never assumed the execution of the said respective trusts.

"That by reason of the infancy of several of the persons beneficially interested under the said will and codicils, and complete partition of the said real estate so devised by the said Anne Powell to her Trustees could not be
40 had without doubts arising as to the same being legally perfect in all respects; And that other questions have arisen involving doubts as to the legality in other respects of the various dispositions made of the said real estate by the said Anne Powell under the said will and codicils of the said real estate of the said late Honorable William Dummer Powell, and that
45 although all the members of his family are desirous to remove the same, such cannot be legally done by reason of such infancy as aforesaid.

"That further the said Petitioners, the said John Powell and Mary Sophia Coxwell, were desirous of obtaining a partition of their respective shares and that of their children, under the said codicils hereinbefore men-