

appertaining, with all and singular the Marine Railway, warehouses,  
 docks and wharves on the said premises erected and being; To Have  
 and to Hold the said premises thereinbefore granted and assigned or  
 intended so to be, to them, the petitioners, and the survivor of them,  
 and their and his successors, in trust for the person or persons, bodies 5  
 politic or corporate, who should become holders of the said bonds or  
 any of them; and by the said indenture it was further witnessed, that  
 if default should be made in the payment of either principal or interest  
 of the said twenty bonds so to be issued as aforesaid, or any of them,  
 then and from thenceforth it should and might be lawful for the peti- 10  
 tioners, or the survivor of them, or their or his successors, upon the  
 request in writing of any one of the holders of the said bonds, or of any  
 one or more of the said bonds, on which the interest or principal was  
 then due and unpaid, to enter in and upon and take possession of all  
 and singular the premises, including the personal property thereby 15  
 granted, or intended so to be, and by themselves, or one of them, or of  
 their agents, take and receive the rent, income and profits of the said  
 mortgaged premises, for the purpose of the security therein before de-  
 clared, and to sell and dispose of the said mortgaged premises, or as  
 much thereof as might be, together or in part, necessary, and all benefit 20  
 or equity of redemption of the said Company therein, and sell and dis-  
 pose of the personal property therein above mentioned, by public  
 auction, giving reasonable public notice of the time and place of sale,  
 and if need be, as the Attorneys of the said Company, for that purpose  
 by the said indenture duly constituted, to make and deliver to the pur- 25  
 chasers thereof good and sufficient Deeds of Conveyance for the same in  
 fee simple or absolutely, and out of the moneys arising from said sale,  
 to pay the said bonds; and whereas, the said petitioners have, by their  
 said petition, further represented that, by another mortgage, dated the  
 twenty-eighth day of September, eighteen hundred and fifty-three, 30  
 between the said Company, of the one part, and the said Honorable  
 Alexander Campbell, of the other part, after reciting that the said  
 Company had issued twenty bonds for one hundred pounds currency,  
 each, the said Company granted, bargained and sold to the said Hon- 35  
 orable Alexander Campbell, the lands described in the said first mort-  
 gage, and also certain other lands situate in the Village of Portsmouth,  
 in the Township of Kingston, and described in a Deed, dated the fifth  
 day of July, eighteen hundred and forty-one, and made between David  
 Gilmour, therein described, of the one part, and the late Henry Gilder-  
 sleeve, President of the said Company, of the other part; To have and 40  
 to hold the same unto the said Honorable Alexander Campbell, his heirs  
 and assigns, for ever, subject to redemption on payment of the said  
 twenty bonds of one hundred pounds each, according to the tenor and  
 effect thereof; and that a third mortgage was afterwards executed by  
 the said Company to William G. Hinds and George Davidson, therein 45  
 described as Trustees, to secure certain other bonds of the said Company  
 to the amount of four thousand pounds, and that the Company after-  
 wards became insolvent; and that several persons obtained judgments  
 against the said Company, for debts due them by the said Company,  
 and registered the same in the County of Frontenac, where the said lands 50  
 are situate, and that the said Company having made default in paying the  
 bonds secured by the said second mortgage, the said Honorable Alex-  
 ander Campbell, as Trustee, and Orton Hancox, Robert Smith, and  
 James A. Harvey, the holders of the bonds, on the tenth day of June,  
 in the year one thousand eight hundred and fifty-nine, filed a bill of 55  
 foreclosure in the Court of Chancery, against the said Company; and that  
 the said William G. Hinds and George Davidson, Trustees, under the