

Bayley, unto the said William Gordon, his heirs and assigns,—to the use of the said Thomas Bushby, George Lyon, Isaac Bayley and John Ewart, their heirs and assigns respectively, according to the nature and tenure of the respective premises, and for all the estates and interests of the said Walter Dickson, Thomas Bushby, George Lyon 5 and Isaac Bayley therein, and subject to such rights and equities of redemption as were then subsisting of the same respectively, but nevertheless upon and for the trusts in and by the said indenture of release of the ninth day of November, 1836, expressed and declared of and concerning the same: *That* by deed poll under 10 the hands and seals of the said Thomas Bushby, George Lyon, Isaac Bayley and John Ewart, and also of the said John Stewart Lyon and Mary Theresa, his wife, and dated the 19th day of August 1842, the said Thomas Bushby, George Lyon, Isaac Bayley, and John Ewart, by and with the concurrence of John Stewart Lyon and Mary Theresa, 15 his wife, constituted and appointed John Hamilton, Gilbert McMicken, and Jacob Keefer, jointly and severally their attorneys and attorney for the purpose of carrying into effect the trusts expressed and declared in the said indenture of release of the 9th day of November, 1836, for the sale of the said lands and hereditaments and the recovery and col- 20 lection of the principal monies and interest due and owing upon the said mortgage securities in the same indenture respectively mentioned; *That* in pursuance of the powers and authorities to them given or reserved in and by the same deed poll or letter of attorney the said John Hamilton, Gilbert McMicken and Jacob Keefer, sold and con- 25 veyed divers and divers parts of the several messuages, lands and hereditaments comprised in and conveyed by the said thereinbefore recited indentures of lease and release of the eighth and ninth days of November, 1836, and the thirteenth and fourteenth days of June, 1842, to divers persons who became the purchasers thereof respectively for 30 divers sums of money which have been duly remitted to the said Thomas Bushby, George Lyon, Isaac Bayley and John Ewart, as trustees of the said indenture of settlement made on the marriage of the said John Stewart Lyon and Mary Theresa, his wife, and conveyed the same lands and hereditaments to the respective purchasers thereof. 35 *And that* doubts have arisen whether under the trusts contained and declared in and by the said indenture of release and assignment of the ninth day of November, 1836, the said Thomas Bushby, George Lyon, Isaac Bayley and John Ewart, were well and sufficiently empowered to authorize the said John Hamilton, Gilbert McMicken and Jacob 40 Keefer, as their attorneys, to act in the sale of the said lands and hereditaments or the release and discharge of the said mortgaged premises to the owners thereof on payment of the respective mortgage monies, or whether such sales and releases respectively were well and effectually made, or the said John Stewart Lyon and Mary Theresa, his 45 wife, were effectually bound by the sales and releases thereof, so respectively made by the said attorneys or by the several deeds of conveyance and release made and executed by them to the respective purchasers of the said lands and hereditaments, and whether the assent of the said John Stewart Lyon, and Mary Theresa, his wife, to such 50 sales was sufficiently evidenced by their being parties to and concurring in the said deed poll or power of attorney for the purpose of effectuating the several sales and releases of the said lands and hereditaments; *And whereas* the said petitioners have by the said petition prayed for an Act to quiet the possession of the several purchasers and mortgagees 55