

upon the usual undertaking. An agreement was then made 1849.
between Mr. *Turner* and Mr. *Morphy* that Mr. *Turner* should retain, out of the moneys in his hands, the produce of the sales above mentioned, and received in the course of the suits, all the costs due to Mr. *Boulton* and himself respectively, in the before mentioned causes, and in other causes relating to the estate of *William Crooks*, and that he should deliver up to him, Mr. *Morphy*, all the papers and documents in his possession relating to such suits; under this agreement the papers and documents above mentioned were accordingly delivered up. The costs amounted to the sum of £558 12s. 7d. This arrangement was probably made with the consent of *Ramsay Crooks*, for whom, I believe, Mr. *Morphy* was and is acting as solicitor. *Ramsay Crooks* by his affidavit in this matter, disavows all authority to Mr. *Turner* to dispose of any lands, except those mentioned in the two letters of attorney. The moneys produced by the several sales have remained in Mr. *Turner's* hands, with the exception of a comparatively small amount, stated in his affidavit to have been paid by him to various persons, until the present time. Judgment.

Under these circumstances the petitioner *Leslie* applies to the court for an enquiry, with a view to the confirmation of these sales and the payment of the purchase moneys produced by them into court. That Mr. *Leslie* and the other judgment creditors should have submitted to be delayed nine years in the prosecution of their just claims, is unaccountable. It is possible that insuperable obstacles may have existed to the speedier execution of the decree, but it is difficult to believe that such could have been the case. Certain it is that if the performance of the decree was improperly retarded, it was in the power of the defendants, the judgment creditors, by obtaining the carriage of the decree, to have accelerated proceedings under it; and much of the sympathy which is due to creditors, who have been unreasonably delayed in the prosecution of their rights, must be withheld from persons who have evinced so little anxiety to protect their own interests. The object of the present application is to obtain an enquiry whether or not it is expedient