

IV. The said Mary Sophia Coxwell, George Alexander Phillpotts of the City of Toronto, Esquire, and Henry Powell of the Town of Niagara, Esquire, and the survivors and survivor of them, the heirs and assigns of such survivor are and is hereby appointed and declared to be Trustees and
 5 Trustee for the said Mary Sophia Coxwell and her children, of their portion of the said Estate of the said the late Honorable William Dummer Powell, under the said Will of the said Anne Powell and the said Codicil ther. to in the preamble hereof mentioned, to bear date the nineteenth day of December, in the year of our Lord one thousand eight hundred and forty-six,
 10 in place and instead of the Trustees thereby appointed and are hereby invested with all the same powers and trusts as if they had been originally named and appointed in and by the said codicil, and the said portion of the said estate is hereby declared to be vested in them, under and subject to the said trusts declared in the said codicil.

Trustees appointed to M. S. Coxwell and her children.

15 V. At any time or times hereafter, in every case of the decease, removal from the Province of Upper Canada, incapacity or unwillingness to act, or resignation of any of the said Trustees respectively appointed, in and by the said third and fourth sections of this Act, respectively the surviving or continuing Trustees or Trustee of the said trusts respectively are em-
 20 powered respectively by Deed in writing to substitute or appoint a new Trustee or Trustees respectively, in the room and place of such Trustee or Trustees respectively so dying, removing from the said Province or becoming unable or unwilling to act, or resigning as aforesaid; and such new Trustees or Trustee so appointed shall have the same powers for all
 25 purposes whatsoever in the matters of their respective trusts as if expressly named and appointed in and by the third and fourth sections of this Act respectively, with similar powers of substitution or new appointment of a new Trustee or Trustees as aforesaid.

In case of incapacity, &c., of Trustees, the remaining Trustees may appoint others.

VI. The said Trustees hereinbefore mentioned or to be appointed under
 30 the fifth section of this Act, respectively, are hereby further authorised and empowered to make such partition as may by them respectively be agreed upon and deemed expedient of the share of the said Real Estate as was by the said Will and Codicils of the said Anne Powell and the said Deed of Partition in the said second section of this Act mentioned, vested in the
 35 Trustees of the said John Powell and Eleanor his wife and their children on the one hand and the Trustees of the said William Henry Coxwell and Mary Sophia Coxwell and their children on the other as tenants in common, so that their respective portions of such share may become separately vested in the said Trustees respectively, upon the respective trusts
 40 hereinbefore mentioned, and such tenancy in common effectually determined, notwithstanding the coverture or infancy of any of the persons beneficially interested in such share or portion respectively.

Power given to Trustees to make partition of property vested in John Powell, his wife and children, and M. S. Coxwell and her children.

VII. This Act shall be deemed a public Act.

Public Act.