

namely : That Elizabeth Hagerman should receive and take, as her full share and portion, eight acres of the said thirty-four acres off the South-west corner of the said Park Lots adjoining the aforesaid Town Plot of "Ter-
 aulay," being five chains seventy links in front or width, by fourteen chains
 in depth ; that the said Mary Gamble should receive and take, as her full
 share or portion, eight acres of the said thirty-four acres next adjoining
 on the South, the aforesaid tract of twenty-four acres, sold to raise the
 £600 as aforesaid, being four chains on Yonge street, by the whole width
 of the said Park Lots numbers nine and ten, of twenty chains ; that the said
 Ann Dietil should receive and take, as her full share and portion, ten acres
 of the said thirty-four acres next adjoining on the North, the aforesaid tract
 of twenty-four acres, being five chains on Yonge street, by the whole width
 of the said Park Lots numbers nine and ten, of twenty chains ; and that
 the said Sarah should receive and take, as her full share and portion, eight
 acres of the said thirty-four acres next adjoining on the South, the eight
 acres to be received and taken by the said Mary as aforesaid, being four chains
 on Yonge street, by the whole width of the said Park Lots numbers nine
 and ten, of twenty chains, and thus leaving as appurtenant to the aforesaid
 dwelling house, fourteen chains in front on Yonge street, by fourteen chains
 and thirty links in depth, and bounded on the East by Yonge Street, on
 the South by "Teranlay" aforesaid, on the West by the tract to be re-
 ceived by the said Elizabeth as aforesaid, and on the North by the tract
 to be received by the said Sarah as aforesaid ; also, that the said James B.
 Macaulay should receive and take as his ten acres, five acres off the rear of
 the front halves of the said Park Lots numbers nine and ten as aforesaid, and
 relinquish all claims to the Southerly five acres of the ten acres of the front
 half of the said Park Lot number ten, next adjoining the Elmsley Farm
 aforesaid ; all which several parcels of land were in the said Indenture
 particularly described : And after reciting also the concurrence of all par-
 ties in such division, &c., they did mutually and interchangeably grant,
 bargain, sell, assign, apportion, partition, divide and dispose of the aforesaid
 thirty-four acres of land, and other the premises to be thereby settled and
 disposed of as aforesaid, and all right, title and interest of, in and to
 the same in possession, reversion or remainder ; *habendum* to the heirs and
 assigns forever, of each respectively, of, in and to the share, or portion so
 apportioned, and assigned as aforesaid ; which said partition and division
 was further shewn by reference to the diagram or plan of the front halves
 of the said Park Lots to the said petition annexed ; that it was the wish
 and desire of the parties beneficially interested in the lands so divided,
 partitioned, and apportioned as aforesaid, that each should hold the share
 or part so apportioned and assigned to each respectively, in fee simple,
 and to convert the supposed estates tail of the said Elizabeth, Mary, Ann,
 and Sarah, into estates in fee simple, so far as within their power, under
 and by virtue of the Indenture last aforesaid, which said Indenture was
 executed before the passing of the Statute of Upper Canada, passed in
 the second year of the Reign of His late Majesty King William the Fourth,
 chapter thirty-five, for the partition of Real Estates, and before the Statute
 of Canada, passed in the ninth year of Her Majesty's Reign, chapter
 eleven, for the substitution of more simple modes of assurance in lieu of fines
 and recoveries ; and that the Courts exercising jurisdiction in Upper Canada, 50
 in the year one thousand, eight hundred and thirty, did not afford the
 necessary facilities for enabling married women to levy fines or suffer re-
 coveries to bar entails, according to the law of England at that period ;
 but that the said Indenture was executed and acknowledged by such of
 the parties thereto as were *femes-couvertes* in conformity with the then exist- 55