are entitled to claim, but if they don't choose to claim it and submit to judgment in the personal form, they have merely waived the benefit of a law which they might have set up for their protection.

According to the maxim quilibet potest renunciare juri pro se introducto a defendant may, as a rule, decline to avail himself of a defence which would be valid at law, and a sufficient answer to the plaintiff's demand, and waive his right to rely on that defence, but married women seem to be an exception to this rule. They are to have the rights of femes soles, but are nevertheless in the judicial arena to be treated as if they were infants incapable of consenting.

This case, as we have said, demonstrates the absurdity of the form of judgment judicially prescribed by the courts against married women. The statute does not require any such form, it has been spun and, as we humbly think, ill-advisedly spun, out of the judicial brain. The statute does not appear to contemplate any such special form of judgment against married women as the courts have framed. As far as the statute is concerned, the judgment should be no different in form from any other judgment. It may well be, however, when the judgment comes to be enforced by execution, questions may be raised as to what property of the married woman debtor is exigible.

Holding as the Divisional Court did, that the judge had no jurisdiction to pronounce a personal judgment, although no evidence before him warranted his pronouncing any other kind of judgment, might have the effect of rendering the officer of the court issuing an execution thereon, and the sheriff or bailiff executing it, liable in trespass, notwithstanding that the judgment on its face appeared to be perfectly regular.

We cannot help thinking that the court would have come to a wiser conclusion, if it had held the judgment in question valid, without prejudice to the married woman defendant applying to amend it, if so advised.