

contract, but also all separate property which she may thereafter acquire," there could be no question that income accruing due to her subsequently to the date of the contract as well as to the date of a judgment was bound except as protected by section 19 of the Act, by which it is provided that nothing contained in the Act should interfere with or render inoperative any restriction against anticipation. In conformity with section 19, a judgment obtained against a married woman upon a contract made during coverture is required by English and Ontario practice to be in the form settled in *Scott v. Morley*, 20 Q.B.D. 132, that is to say, "To be paid out of her separate property as hereinafter mentioned and not otherwise. And it is ordered that execution hereon be limited to the separate property of the defendant not subject to any restraint upon anticipation, unless by reason of s. 19 of the Married Women's Property Act, 1882, the property shall be liable to execution notwithstanding such restriction." In *Hood Barrs v. Cathcart* (1894), 2 Q.B. 559, the actual decision of the Court of Appeal was that a judgment against a married woman whose property is restrained from anticipation, could not be enforced against arrears of income to which the restraint applied accruing due after the date of the judgment, but Kay, L.J., who delivered the second judgment of the court incidentally affirmed in the course of his reasoning that income which had become due before the date of the judgment would be subject to the clause against anticipation until actual payment to the married woman, however long that might be after the due date of payment. In *Loftus v. Heriot* (1895), 2 Q.B. 212, the Court of Appeal adopted this proposition, but on the case going to the House of Lords, *sub nom. Hood Barrs v. Heriot* (1896), A.C. 174, it was held that the restraint does not apply to income accrued due at or before the date of the judgment although it has not reached the wife's hands. In *Whitely v. Edwards* (1896), 2 Q.B. 48, and in *Re Lumley, Ex parte Hood Barrs* (1896), 2 Ch. 690, the actual decision in *Hood Barrs v. Cathcart* (1894), 2 Q.B. 559, that income to which a restraint upon anticipation applies, accruing due after the date of a judgment whether in arrears or in the hands of the married woman, cannot be taken in payment of the judgment, was followed. Where the judgment creditor delayed to enter judgment under Order XIV. with the object of recovering arrears of income which accrued due after he had obtained leave to enter judgment, the court refused to