

was affirmed on appeal by a judge in Chambers and the Divisional Court. Special leave to appeal from the decision of the Divisional Court was granted by the Court of Appeal which also affirmed the order of the Master. Mr. Justice Osler, who delivered the principal judgment, held that the master had jurisdiction to review his own order; that he held that plaintiffs had not shown good reasons under rule 238 (a) for extending the time for service, and this holding had been approved by a judge in Chambers and a divisional court; and that the Court of Appeal could not say that all the tribunals below were wrong in so holding. On appeal to the Supreme Court of Canada:

*Held*, that for the reasons given by Mr. Justice Osler in the Court of Appeal, the appeal to this court must fail and be dismissed with costs.

Appeal dismissed with costs.

*Arnoldi, Q.C.*, for the appellants.

*Dr. McMichael, Q.C.*, for the respondents.

May 1, 1893.

MOORE V. JACKSON.

Ontario.]

*Married woman's property—Separate estate—Contract by married woman—Separate property exigible—C. S. U. C. c. 73—35 V. c. 16 (O.)—R.S.O. (1877) cc. 125 and 127—47 V. c. 19 (O.)*

By the Married Woman's Property Act, 1887, of Ontario, (47 V., c. 19) a married woman is capable of acquiring, holding and disposing of real or personal property as if she were a *feme sole*; of entering into and rendering herself liable on any contract, and of suing or being sued alone in respect of such property; the right of the husband as tenant by the curtesy is not to be prejudiced by such enactment.

*Held*, reversing the decision of the Court of Appeal, that the property held by a married woman under this act is "separate property," and may be taken in execution for her debts, notwithstanding the reservation in favour of her husband.

Appeal allowed with costs.

*Moss, Q.C.*, for the appellant.

*Armour, Q.C.*, for the respondent.