freehold, and therefore the equitable estate of the infant was also a descendible freehold, and went to his heir as special occupant. The House of Lords (Lords Halsbury, L.C., Watson, Herschell, Macnaghten, Morris and Davey) thought that this argument was untenable, and that the equitable estate of the infant not being expressed to be to him and his heirs, there was no special occupant thereof, and, under the statute, on his death his equitable estate passed to his personal representative, notwithstanding there was a special occupant of the legal estate vested in the trustee. The appeal was therefore dismissed and the judgment of the Court of Appeal in Ireland, in favour of the respondent, was affirmed.

HUSBAND AND WIFE—MARRIED WOMAN—JUDGMENT AGAINST MARRIED WOMAN—SEPARATE ESTATE—RESTRAINT ON ANTICIPATION—ARREARS OF INCOME—MARRIED WOMEN'S PROPERTY ACT, 1882, C. 75, SS. 1, 19—(R.S.O. C. 132, SS. 2, 20.)

Hood Barrs v. *Heriot*, (1896) A.C. 174, may be looked on as a somewhat remarkable case from the fact that although the action was against a married woman, the question in dispute was actually decided against her, and in favor of the creditor. The point at issue was a very short one, and was simply this, viz., whether a restraint against anticipation would operate so as to prevent arrears of income, subject to such restraint, which had accrued before the recovery of the plaintiff's judgment against the married woman, but which had not been paid over to her by the trustees, from being made available by way of equitable execution for the satisfaction of the plaintiff's judgment. The Court of Appeal, *Loftus* v. *Heriot*, (1895) 2 Q.B. 212 (see ante vol. 31, p. 505) held that the restraint operated to protect the income until it had actually reached the hands of the married woman, but the House of Lords (Lords Herschell, Macnaghten, Morris and Shand) holds that the effect of the restraint as a protection of the fund from the creditors of the married woman, is exhausted as soon as the income becomes payable, and that therefore the income in question was exigible. The triumph of the plaintiff, however, was a hollow one, because the Court of Appeal refused to order the fund to be kept in medio pending the appeal to the Lords, and it also refused to stay execution for the costs of