

seems to me to follow, from the authorities I have cited, that separate estate may be said to exist notwithstanding discovery. It is suspended in this sense—that the widow's power of disposition over it is the same as if it had been given to her simply and without words creating a separate use. It is not extinct, because it becomes operative upon a second marriage. If the coverture ends by her death, it is still regarded as her separate estate, and is applied in satisfaction of her debts and liabilities. If the coverture ends by the husband's death, the same principle ought to apply." This reasoning can scarcely command assent. Its palpable weakness lies in its attributing to words a definite, deliberate significance, not shewn to be present to the minds of their authors, and assuming that they were used in the Act in the same sense. It fails to offer an explanation for the use of a phrase selected to denote the property of a married woman after the reason for its use has ceased. Before her marriage the property of a woman is not known and cannot be described as separate property. Though it is settled upon her to her separate use, or is made separate property by virtue of the Act, in the event of her marrying, it is a misuse of words to designate it as separate property, when it is not held by her separate from a husband.

One turns with much more satisfaction to those decisions which insist that there is no such thing as separate property of an unmarried woman. In *Beckett v. Tasker*, 19 Q.B.D. 7, it was sought to make liable after the death of the husband property subject to a restraint on anticipation in satisfaction of a debt contracted by the widow during coverture, but the court took the obvious position that under s. 1, sub-s. 4 of the Act a married woman by her contract binds the separate property she is possessed of at the date the contract and all separate property thereafter acquired during the coverture, and that property acquired after coverture is not separate property and is not bound. *Pelton Bros. v. Harrison* (1891), 2 Q.B. 422, is an express decision by the Court of Appeal to the same effect, and when the question again came before the same court in *Softlaw v. Welch* (1899), 2 Q.B. 419, it was treated as being effectually disposed of by the former judgment of the court. A dictum of Lindley, L.J., occurs in *Holby v. Hodgson*, 24 Q.B.D. 103, to the effect that separate property that the wife is restrained from anticipating becomes subject to a judgment against her as soon as her husband is dead. Importance was