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MARRIED WOMEN.

IN modern legislation relating to the property of married women, the phrase "as if she were a *feme sole*" frequently recurs. Are these words to be construed strictly, as meaning absolutely that which they imply, with all their logical consequences, or are they to be taken as illustrative, merely, of the position which it was intended to describe, and not, in effect, declarative that wherever conjugal rights interfere with the rights of property the latter must prevail.

Mr. Justice Armour, in the now celebrated case of *Clark v. Creighton*, 45 U. C. R. 514, takes the language as he finds it, and throws the responsibility upon the Legislature. In a somewhat racy and sarcastic dissenting judgment, he says: "The avowed object of the Legislature, in passing an Act, as made known to the public by the discussion that takes place upon the Bill in its passage through the Legislative Assembly, and the intention of the Legislature, in passing the same Act, as extracted by judicial process, are often widely different. This process as applied to the ninth section, produced this—that when the Legislature there said that any married woman might be sued or proceeded against, it did not intend that any married woman might be sued or proceeded against, but only that any married woman who had separate estate, and that separate estate only of a particular quality, might be sued or proceeded