

A married man who receives his wife's separate income and applies it for their common benefit, is not answerable to the wife therefor: *Ellis v. Ellis* (Ont.), 12 D.L.R. 219; *Payne v. Little*, 26 Beav. 1; *Squire v. Dean*, 4 Bro. C.C. 326; *Bartlett v. Gillard*, 3 Russ. 149. And a married man will not be required to account to his wife for arrears of her separate income paid to him without a demand therefor having been made by the wife: *Leach v. Way*, 5 L.J. Ch. 100; *Smith v. Camelford*, 2 Ves. Jr. 698; *Squire v. Dean*, 4 Bro. C.C. 326. So a married woman who permits her husband to receive her separate income or pin-money cannot require him to account for it, if at all, back of the year: *Parker v. White*, 11 Ves. 205; *Townshend v. Windham*, 2 Ves. 1; *Thompson v. Harman*, 3 Myl. & K. 513. Where a married man is permitted by his wife to receive the income from a sum settled on her for her separate use, a gift of such income to the husband will be inferred: *Edicard v. Cheyne*, 18 App. C.H.L. 385; *Young v. Young*, 29 T.L.R. 301. But where paid the husband for the purpose of investment for the wife it will remain her property: *Young v. Young*, *supra*.

In *Ellis v. Ellis*, (Ont.) 12 D.L.R. 219, it was said that a woman who seeks to recover income paid to her husband and expended for their joint benefit, must shew clearly and conclusively that he received it by way of loan.

A gift of the dividends from stock owned by a married woman will be inferred where, for a number of years, she permitted her husband to deposit them in bank in his own name, and to use the proceeds for purposes of his own: *Caton v. Rideout*, 1 Macn. & G. 599.

A married woman may recover from her deceased husband's estate, but without interest, money belonging to her which the former appropriated for her own use during his lifetime: *Re Flatau*, *Wood v. Cock*, 40 Ch.D. 461. And money earned by a woman during the time she was deserted by her husband, and which he afterwards forcibly took from her, may be recovered by her: *Cecil v. Juxon*, 1 Atk. 278. So money belonging to a woman's separate estate, which her husband took forcibly from her, the return of which she frequently demanded, may, on her husband's death, be recovered by her from his executors; since her husband is to be regarded as a trustee for his wife; and, as the money was retained without accounting for it, his executor cannot, under the Trustee Act, 1888, sec. 8, claim the benefit of the Statute of Limitations: *Wassell v. Leggitt*, [1896] 1 Ch. 554.

Under the Imperial Married Women's Property Act (45 & 46 Vict. ch. 75), sec. 3, any money intrusted by a wife to her husband for the purpose of any trade or business carried on by him constitutes a part of his assets in bankruptcy; the wife being entitled, however, to rank as a creditor in respect thereto against his estate after the payment of creditors for a valuable consideration: 2 Halsbury's Laws 150, 16 *ib.* 434.