

his wife with sufficient money to buy apparel for cash and had never authorized her to buy goods on credit. In the result judgment was recovered against the wife alone and execution thereon was issued against her separate estate, and under this execution some dresses and other wearing apparel of the wife were seized, which were claimed by the husband as belonging to him as paraphernalia. An interpleader issue was directed to try the question of ownership. The issue was tried in a County Court and the judge directed the jury that on the authority of what was said by Jeune, P.P.D., in the case of *Tasker v. Tasker* (1895), P. 1, that they should find the issue in favour of the husband, which, "with regret" they accordingly did. From this decision an appeal was had to a Divisional Court who, thinking there was some evidence to support the finding of the jury, dismissed the appeal. The plaintiffs then appealed to the Court of Appeal (Cozens-Hardy, M.R., and Farwell and Kennedy, L.JJ.) who came to the conclusion that though the decision in *Tasker v. Tasker* was correct, the dicta of Jeune, P.P.D., which the County Court judge had quoted to the jury on the subject of paraphernalia were not correct, and they therefore allowed the appeal and found the issue in favour of the execution creditors. Jeune, P.P.D., as the Court of Appeal point out, had treated paraphernalia as being a subject of property by the husband, whereas it is a species of property which only arises in favour of a wife after her husband's death, whereby she becomes entitled to claim as her own, as against his estate, articles of personal use and apparel and ornament suitable to her station in life. Under the Married Woman's Property Act, goods purchased for herself by a wife, even though with money supplied by the husband, become the wife's separate property, and as such liable to execution against her separate estate.

WORKMEN'S COMPENSATION ACT, 1906—DEFENDANT—TRANSMISSION OF INTEREST OF DEFENDANT—ACTIO PERSONALIS MORITUR CUM PERSONA.

*The United Collieries v. Simpson* (1909) A.C. 383, although a case arising under the Workmen's Compensation Act of 1906, which has not been adopted in Ontario, is nevertheless deserving of attention inasmuch as the House of Lords (Lord Loreburn, L.C., and Lords Macnaghten, Shaw and Dunedin) have determined that under it the right of a defendant to compensation is a transmissible interest to which the maxim *actio personalis*, etc., has no application, and that if a defendant die without making a claim, his or her personal representative is entitled to enforce