

And she has the further power to sell and convey the trust property itself, and to reinvest the proceeds of sale of the estate itself in such other property as she might think best, the property thus purchased, being subject to the trusts of the property sold, but whether she could charge the trust estate with her husband's debts, or apply the principal in the purchase of property which would be consumed in the use, may be a question of some difficulty. If she could, it is clear the rights of those in remainder might be wholly defeated.

The conclusion at which I arrived, in considering this subject upon a former occasion, and which I regarded as the American doctrine, as established by the case of *The Methodist Church vs. Jacques*, 3 Johns., Ch. Rep., 78, and *Thomas vs. Folwell*, 2 Wharton, 11, was "that a married woman has no power over her separate estate, but what is specially given, and to be exercised only in the mode prescribed, if the mode be prescribed." This doctrine is vindicated by Chief Justice Gibson in the case in *Wharton* with great ability, and upon reference to the *Law Library*, vol. 65, page 370, *et seq.*, will be found to be the firmly settled conclusion of the American cases.

But the bill in this case will be dismissed upon the grounds first stated, without deciding or intending to decide that the rule above adverted to applies to this deed.

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DOBBIN and TALBOTT, for the Complainants.

J. M. S. CAUSIN and W. FARNANDIS, for Defendants.