

GEORGE A. WILLIAMS AND WIFE

vs.

SAMUEL C. DONALDSON AND
JAMES WINCHESTER.

} DECEMBER TERM, 1849.

[POWER OF MARRIED WOMEN OVER THEIR SEPARATE ESTATE.]

A MARRIED WOMAN has no power over her separate estate but such as has been specially given to her, and in exercising the power of disposition she is restricted to the particular mode specified in the instrument under which she takes when it undertakes to make such specification.

[By a marriage settlement, executed on the 11th of September, 1849, in contemplation of a marriage then intended to be shortly had and solemnized between George A. Williams and Jane A. Douglas, all the real and personal estate of the intended wife was conveyed to Donaldson & Winchester, *in trust*. *First*, for the said Jane, her heirs, executors, administrators and assigns, until the solemnization of the intended marriage. *Secondly*, after said marriage to receive the rents, profits, income and dividends of all said property, and to pay over the same, or such parts thereof as she shall require, to the said Jane, "on her own separate receipt, or to her own separate order in writing," and to invest such parts of the same as she shall not so require, in such property, real or personal, as she and her husband "shall in writing under their hands jointly direct and designate," and the income of such investments to pay to the said Jane, "on her own separate receipt or order in writing, as is above provided for in regard to the income of the property hereby conveyed," with power to the said trustees, "with the consent and approbation" of her and her husband, "testified in writing for that purpose, to sell, convey, transfer and dispose of any of said property," and lay out the proceeds in "new stocks, funds, securities or real estate," as often as occasion shall require, all which new stocks, &c., and the income thereof, "shall go and remain upon the same trusts and for the same intents and purposes" as those which shall have