

of attaining majority to one-fourth of the household goods and effects, subject to the like provision for her child taking her share in case of her death during minority.

Clause 9 dealt with the residuary real estate and what is said to be the residue of the personal estate. Under that clause until the children living were all over 21 years the net income from such residue was first to be applied to the education and support of the children who might be minors and out of any balance of the income their father was to have enough to make up with his income under clause 7 the sum of \$600 per annum and any residue of the income would go to the child or children out of whose shares the same might have arisen (who presumably could only be those over 21 years of age). As soon as all the children living would be 21 years of age then the residuary property was to be sold and converted into money and divided equally among the children (the issue of a deceased child taking such child's share), first setting apart a principal sum enough to produce sufficient income to make up the father's income under clause 7, to \$600 per annum. Clause 11 also gave the father the right to receive out of these residuary trust funds and estate a sum sufficient for the purpose of paying the premiums on his existing life insurance, being about \$150 per annum.

With this will the testator remained satisfied till 18th July, 1894, when she made the codicil. At that date, Bertha, who was her youngest child, was in her 15th year, and Vernon, the youngest of the 3 sons, was about 6 years older. Under the will Bertha, therefore, would have the prospect of getting the whole net income, if necessary, of the residuary estate applied for her support and education in priority to everyone during her minority, and on her attaining 21 she would be entitled at once absolutely to at least one-fourth of the residuary estate subject to implementing her father's annuity, and one-fourth of the household goods and effects, and, under clause 7, one-fourth of the R. C. Smith property subject to her father's life interest. It does not appear what was the value of the R. C. Smith property or of the residuary estate at the date of the codicil, or what was then the yearly income from either; but for two years after the death of the testatrix in August, 1896, the executor puts the net income from the whole real and personal estate over and above taxes, insurance, upkeep and