

remains my widow and continues to reside in my said family residence or such other residence as my trustees may approve of and provides for and maintains and supports my said children therein."

(10) Provision for the event of the death or remarriage of the wife before the youngest child shall attain majority.

(11) "In the event of my said wife (though remaining my widow) and children disagreeing in such a way that my executors shall think their separation desirable, then I direct them to invest \$1,000 in the purchase or erection of a residence for my said wife and allow her the use thereof and of such said furniture as may be reasonable therewith during her natural life and as long as she remains my widow and that they pay her during such period annually . . . \$400."

(12) "Upon my youngest child attaining the age of 21 years, then I direct my executors to realise upon two-thirds of the securities in their hands belonging to my estate and to divide the same in equal shares amongst . . . all my children then surviving . . . My executors shall at once upon my decease . . . pay to such of my sons as may then be of the age of 23 years . . . \$1,000 on account of the share or shares coming to each of them upon the final distribution . . ."

(14) "Upon the death or remarriage of my said wife and after my youngest child shall have attained . . . 21 . . . and the division . . . shall have been made, I direct my executors to sell said household effects and furniture . . . and said family residence . . . and divide the proceeds . . . in equal shares amongst my then surviving children . . ."

By the codicil, para. 11 of the will was changed by substituting \$500 for \$400, and para. 12 was changed by reducing the sons' portions from \$1,000 to \$500.

The first question for determination was, whether the widow was entitled to any of the income from the estate after the youngest child became of age, in July, 1914. Having regard to para. 11 of the will, this question should be answered in the affirmative.

The second question was, whether, in case of there being an insufficiency of income to produce \$800 a year for the widow, she was entitled to have the deficiency made up out of the corpus of the estate, and, if so, whether she had a charge upon the real estate until such insufficiency should be made up. Under para. 8 of the will, the annuity of \$800 was payable to the widow only until the youngest surviving child should attain 21. In view of the widow and children disagreeing, she was entitled, since that date, under clause 11 of the will, as altered by the codicil, to an annuity for herself of \$500 and no more. By reason of para. 12 and the division of two-thirds of the securities, any insufficiency