

It will be noticed that the one-half of the residue given to William George is the one-half remaining after one-third of the whole residue had been paid to Margaret, that is, it is one-third of the residue. In the codicil it is this one-third of the whole residue or one-half of the remaining residue that is referred to; and, instead of William George being bequeathed one-half of the residue after the payment to Margaret, he is bequeathed the sum of \$1,500 in cash, and he is also given a one-third share of the proceeds of the residence.

Then comes the expression, the meaning of which is disputed: "The balance to be divided between my said daughter Margaret Jennie Corkett and my son Cecil Mansfield Corkett according to the terms and conditions specified as to the other bequests made by my will." What balance? Does it mean the balance of the residue after paying one-third to William George, or the balance of the residue of the estate, or both? Some light is thrown upon it by the last clause. The division is to be made according to the terms and conditions specified in the other bequests of the will. What other bequests? Clearly, I think, the bequests which affect the half residue mentioned, and also the bequests upon the sale of the residence.

By a former provision, upon a sale of the residence, the proceeds were to be equally divided "amongst my three children in equal shares." Before the codicil was made, Margaret had received her \$1,000 and one-third of the residue, and was yet entitled to receive one-third of the proceeds from the sale of the residence, and any amount remaining unpaid for maintenance, etc.

William George Corkett, by the codicil, is now given \$1,500 and one-third of the proceeds of the residence, instead of his one-half of the residue after Margaret had been paid. The residue of the estate, in my opinion, goes to the younger son, Cecil Mansfield Corkett, each of the three children receiving one-third of the proceeds from the sale of the residence.

Costs out of the estate. The costs of the executors between solicitor and client.