

HON. MR. JUSTICE KELLY:—I answer as follows:—

1. The legatee is entitled on his marriage to receive five thousand dollars, if at that time there be unpaid to him (out of the twenty-five thousand dollars) that sum; if, however, the payments made to him before his marriage reduce the unpaid balance of the twenty-five thousand dollars to less than five thousand dollars, he will be entitled on his marriage to receive such balance.

2. After such payment to the legatee on his marriage, the semi-annual payments of \$600 each shall cease until the end of fifteen years from testator's death, when the unpaid balance of the \$25,000 shall be payable.

3. The intention of the testator in the paragraph under consideration was to benefit this legatee to the extent of twenty-five thousand dollars; this amount is not cut down by the later words of that paragraph dealing with the mode of payment.

Subsequent provisions of the will relate to the disposition of this bequest (and bequests to other beneficiaries) on the happening of certain contingencies; the above conclusions are subject to whatever effect these later provisions may have on this bequest, if any of these contingencies arise.

Costs of the application will be payable out of the estate; those of the executor as between solicitor and client.