

will, the express bequest to Bertha is only a possible addition to her income, one can only conclude that the word "supersede" is merely used in the sense of overriding, taking a place superior to, or, as in the Imperial and Standard Dictionaries, "suspending," or literally, sitting or being set above and in that sense displacing all other bequests but not destroying them.

In other words, next to her husband's income the income of her only daughter was her supreme care. It is out of the question to suppose that if Bertha were married and her share on a division would only yield, say, \$399 per annum, she would receive \$400 a year for her life only and lose all provision for her child; whereas if her share would yield \$401 yearly, she would have the whole share itself with its full income. This affectionate mother would, I think, be startled to find that such a construction was put upon her words, and that her daughter would be held to lose her share because it was so small.

Even if the word "supersede" be read in the sense of annulling or setting aside all the bequests (including devises) in the will and not merely setting them below the provisions of the codicil, it could, I think, literally only apply to the specific bequest in the fifth paragraph. The codicil, as I have said, refers to and implies a division and the division which the will directed, that is, among the four children, and that division is merely postponed. The codicil cannot be read without keeping the will in mind to ascertain its meaning, and the codicil in effect by its reference to division confirms or at least necessarily embodies the provisions of the will as to division. Those provisions gave Bertha a share, therefore the codicil in its earlier part confirms and thereby gives her that share. So that if the will is to be set aside its contents must at least be referred to in order to construe the codicil, and then the codicil must be considered as giving Bertha the share originally given by the will. There is nothing in the codicil to restrict the meaning of the word "division," and therefore it would, I think, apply to and give Bertha a share in all the property which was under the will to be divided among the four children, that is, the property disposed of by the 7th, 8th and 9th clauses. This would leave only the specific bequest of articles in the 5th clause to be superseded in the sense of cancelled or annulled by the codicil. It is hardly argued that such could have been the intention of the