

Second, I will and bequeath to my son Homer Carr the residue of my property, real and personal, absolutely when he shall have attained the age of twenty-five years.

Third, I direct that, in the event of the death of my said son Homer Carr before he has attained the aforesaid age, and leaving children of his own, then the property shall be divided equally among them, if more than one.

Fifth, I direct that the sum of \$60 of the income arising from rents be paid yearly by my executors for the support of my son Homer Carr until he is five years old and \$80 yearly thereafter until he is twenty-one years old.

Sixth, I direct that my executors shall pay to my son Homer Carr all the yearly income arising from my whole estate yearly after he shall be twenty-one years old until he shall be twenty-five years old, and upon such event to hand over to my said son the whole of the estate, real and personal, absolutely.

Seventh, in the event of the death of my son Homer before he shall be twenty-five years old without issue, then my property shall be divided as follows, that is to say:—

\$1,000 to Cornwall General Hospital.

\$1,000 to Thomas Carr, son of Hugh Carr, of Finch.

\$1,000 to Fred. L. Carr, of Fitch Bay, province of Quebec.

\$1,000 to James Lyle, brother of John Lyle, of Finch, and supposed to be living in United States.

The residue to be divided equally among my three brothers, Hugh Carr, of township of Finch, Jonathon Carr, of the town of Fitch Bay, in the province of Quebec, and Isaiah Carr, of the town of Smith's Falls, Ontario.

These clauses give Homer Carr a vested interest in the residuary estate, subject to be divested in the event of his death before he attains twenty-five.

I read the earlier part of the 2nd clause as being a complete gift to him, and the latter words of that clause as being equivalent to "to be his absolutely when he attains the age of twenty-five."

This construction is aided by the provision of clause 6. Upon Homer Carr attaining the age of twenty-five years, the estate is to be "handed over" to him. This shews that it was theretofore vested, and that what the testator intends shall then take place is a mere "handing over" of that which was the son's property, till then subject to be divested upon his death, and then his "absolutely."

Finding thus the key to the testator's meaning in the words of the will, it is not necessary to investigate the many cases cited on