

times of being entitled to payment, the income each year is to be divided between my children equally share and share alike; on the death of each child his or her children shall be entitled in equal shares to the same proportion of the capital of my estate as he or she was entitled to of the income, and the same shall be paid over by my executors accordingly (the issue of any who may be dead leaving issue to take their parent's share), but should he or she die without issue the same share or proportion shall belong to my estate.

"I further direct that all of such payments of income to my children are to be without power of anticipation or charging or disposing of, and are intended for the support and maintenance of themselves and their families, and in case of females for separate use."

The will had previously provided that the executors should "set apart an ample amount from the principal of my estate to provide for full payment of the annuities given in this (paragraph 11) and other paragraphs."

The estate at the time of the death of the testator consisted of a very large amount invested, of certain real and personal property not necessary to be here considered, and of the profitable business referred to in the will.

It is contended by the plaintiff that upon the true interpretation of the said will, and in particular of paragraphs 18, 19, and 21 thereof, the differences between the annuities directed to be paid to each of the children of the testator while under the age of 25 years, and the full one-third shares of the surplus income of the estate after carrying into effect all the directions of the said will, including the direction to accumulate 10 per cent. thereof for the period of 10 years, for the purposes in the said will set forth, which would have been payable to each of the said children respectively had they been all of the full age of 25 years at the date of the death of the testator, do not accumulate for the benefit of such children respectively, and are not payable to them upon attaining the full age of 25 years respectively, but fall into the general estate to be accumulated and invested, and that the full proportionate share of the income derived therefrom from time to time is payable to those children who have attained the age of 25 years, that is to say, that each child having attained the age of 25 years is entitled to be paid the full one-third of the surplus income of the