

for the purpose of working the homestead in trust for Earl until he comes of age, when they are to become his absolutely. The net income arising from the working of the homestead farm is to belong to the widow until Earl arrives at the age of eighteen, and from the time he is eighteen until he is twenty-one is to be deposited in a bank to his credit, and to be paid to him upon his coming of age.

Apart from this, the only provision for the widow is that \$10,000 is to be invested and the revenue to be derived therefrom is to be paid to her, "said payment to commence when" Earl arrives at the age of eighteen and to continue during the life of the widow. On her death this sum is to be divided among the children of the testator and this wife. This is in lieu of dower. Nothing is specifically said as to the income derived from this fund before Earl attains eighteen.

The first question submitted is as to this income. I think the entire income derived from the fund set apart during the lifetime of the widow is given to her. The payment is to commence when Earl attains eighteen. The testator probably made this provision because the widow would be in receipt of the profits of the farm up to this time, but he has not limited in any way the gift of the income. I cannot cut down his gift and say the widow is not to have the income from the fund, but only the income derived from the fund after Earl's attaining age. Still less can I say that what she is then to receive is to be limited to one year's income. The duty imposed upon the executor is to invest this fund at once. The testator contemplated no payment being made to the widow until Earl attains eighteen, but a long series of cases shew that where, as here, the gift is vested, and the time of payment postponed, the legatee has the right to be paid without regard to the delay contemplated.

The second question arises upon the gift of chattels to Earl. In addition to the live-stock enumerated, he is given "all the farm implements, grain, roots, hay, and feed used by me on my homestead farm," which, with substituted chattels, are to become his when he attains age, and are in the meantime to be retained by the widow "for the purpose of working the homestead farm."

I cannot work this clause out in detail. Not all the chattels on this farm, but those "used on the farm," are given. The intention as gathered from the words "for the purpose of working the homestead farm" is that a complete working outfit, including feed, seed grain, etc., should be set apart for the working of this farm as it had been heretofore worked by the testator, and these