

"bookcases, etc., leaving the said Company only an income sufficient to defray the ordinary and strictly appropriate expenses of such an institution."

Then immediately follows the testator's observation in regard to the evil effects of large annual incomes of corporate bodies. The language of this codicil is very stringent. It not merely authorizes but *directs* the executor to expend the *whole* remainder in the purchase of a lot, and erection of the Library Building, construction of bookcases, etc., and for the reason given, that he does not desire the Library Company to have an income greater than is required to provide for the legitimate increase of the Library and their current expenses, for which purposes he considers the sums set apart to secure the legacies and annuities sufficient.

Do then the concluding words, "leaving the said Company only an income sufficient to defray the ordinary and strictly appropriate expenses of such an institution," qualify the force of the previous direction to expend the *whole* remainder, so as to give to the Executor a discretion to reserve an endowment fund over and above the sums set apart for the annuities?

There seems great difficulty in their interpretation, because it expunges the word *whole* in the previous direction. The more natural interpretation connects the concluding sentence "leaving," etc., with the antecedent declaration that the annuity fund would be sufficient for the ordinary and strictly appropriate expenses of the Library; as much as to say, the whole remainder must be devoted to the lot and building. The library will then have left, in the annuity fund as it falls in, an adequate source for the strictly appropriate expenses of the institution.

Undoubtedly the will and codicils must be read together and harmonized if possible. If they cannot be harmonized, the codicil, as the latest expression of the testator's will, must govern.

It is not easy to reconcile the will and codicil.

The will leaves the amount to be expended in the purchase of the lot and erection of the building discretionary

