

will, and take out letters testamentary thereon, for the space of three months after my decease, then I will that the legacies given in this my will to the executor or executors so dying or refusing, or neglecting to prove this my will, shall be equally divided among the other executors of this my will, who shall prove the same as aforesaid, over and above all other provisions made for him or them respectively, (or shall sink into my estate).

---

No. XXXVIII.

**CLAUSE in a WILL as to GUARDIANSHIP of CHILDREN.**

---

Item,—I do hereby appoint and direct that my said dear wife shall have the guardianship and tuition of my children during their minority respectively, so long as she shall continue sole, and in case of her death or marriage during the minority of any of my children, then I appoint, that my much esteemed friend W. shall have the tuition and guardianship of them during their minority, and in case of his death during the minority of any of my children, then I appoint that my much esteemed friend T. shall have the guardianship and tuition of them