

of the solicitors of the parties upon exceptions to the report of the Auditor, the proceedings and the notes of counsel have been read and considered.

The testator, Patrick Ward, by his will, duly executed in March, 1881, devised and bequeathed to his wife, Lilly Ward, his whole estate, real, personal, and mixed, with some inconsiderable exceptions, for life, with remainder absolutely to his children, and the children of a deceased daughter, naming them, to be equally divided into three parts, so that the children of his deceased daughter should receive one equal third part; and by a codicil, executed on the same day, in which, after reciting that by his will he had given and bequeathed his estate of every description to his wife, he says, "But now I do hereby revoke and annul the same, in part, and hereby give and bequeath, from and immediately after my decease, all the rents, issues, and profits of my two-story brick house in Exeter street, in Baltimore, No. 42, to my said two surviving children, Mary Ann and Edwin, the same to be applied towards their support and education;" and the question is, whether the codicil not only revokes the will, so far as the life estate given to the testator's widow is concerned, but whether it does not give to his two surviving children the absolute and entire interest in said house?

The will and the codicil are to be construed together as one instrument, and are to be reconciled as far as possible, though, of course, if irreconcilable, the codicil, as the last indication of the testator's mind, must prevail. *Lee vs. Pindle*, 12 *G. & J.*, 288. And regarding the will and codicil as one instrument, an exposition of it is to be made, to attain, if possible, the intention, which is the first and great object of inquiry.

The testator in this case, by his will, had given his wife a life estate, with remainder to his surviving children, and the children of a deceased daughter, and prescribed the proportions in which they should take. In his codicil, he says he revokes this devise to his wife, in part, and he gives the rents, issues, and profits of this property, immediately after his decease, to his two surviving children, the same to be applied