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Schwabacher & Co. or any of my other securities or cash left with Schwabacher & Co., even though used as capital by the firm).

FOURTH: If my said wife shall survive me, I hereby confirm unto my said wife her one-half share of our said community property (other than her one-half share of my capital accounts with Schwabacher & Co.) and it is my intention to dispose of only my one-half share of such community property under the provisions of this my last will and testament.

FIFTH: It is my intention by this my last will and testament, if my said wife shall survive me, to dispose of all of the community property of my said wife and myself consisting of my capital accounts with the firm of Schwabacher & Co., including all of the community rights and interests of my said wife therein as well as my own, and that my said wife shall accept the provisions for her benefit herein contained in lieu of taking her one-half community property interest in my said capital accounts with the firm of Schwabacher & Co. I have, however, made such disposition of our said community property after consultation with my said wife, and she has elected to take in accordance with the provisions of this will and has agreed thereto, evidencing such election and agreement by executing at the time of the execution hereof the instrument annexed hereto, it being expressly understood, however, that my said wife is reserving the right to make a testamentary disposition of her one-half community property interest in my capital accounts