

the Statute of Distribution—which our state follows—the old rule of the common law (derived like many others from the Canon law) was superseded, and the degrees of relationship are reckoned from the intestate up to the common ancestor, and thence downward to the other parties. According to this mode of computation those of the half-blood are related to the propositus in the same degree as those of the full blood, as they are all of the same father or mother. Armour on Devolution, 246; Robins on Devolution, 354; *Re Wagner* (1903), 6 O. L. R. 680.

The question as to the automobile arises under paragraph 3 of the will, which, so far as material, is as follows:

“3. I bequeath to my cousin, Helen Grace Gillespie, free of duty, all my watches, jewellery, trinkets, lace, wearing apparel and other articles of personal use or adornment, furniture, plate, linen, china, glass, books, pictures, works of art, musical instruments and other articles of household use or adornment.”

The deceased did not own a motor car at the date of the will; and unless the car which she owned at the time of her death passed to Mrs. Fleming under the words “and other articles of household use or adornment,” it forms part of the residuary estate.

It will be observed that these words follow an enumeration beginning “furniture,” and including “plate, linen, china, glass, books, pictures, works of art, musical instruments.”

“Other articles” of household use or adornment must upon authority be held to relate to things *ejusdem generis* as those specifically mentioned; and an automobile cannot, in my opinion, be considered to be of the same genus as any of the articles enumerated. Everything particularly mentioned is an article for use or ornament within a house. The case is not one where there is a general bequest of all household goods and effects.

In *Re Howe, Ferniehough v. Wilkinson*, [1908] W. N. 223, the testator devised to the plaintiff, then Mrs. Tallyn, “My home, Thornleigh, and its appurtenances and surrounding lands and all furniture and effects (just as it now stands).” It was held on the authorities that the bequest was sufficiently wide to include three motor cars. But the words before me for construction “other articles of household use,” following a specific enumeration of articles used