

and which is not difficult of application with reference to gifts in general words following a specific enumeration being confined to things *ejusdem generis*. I apprehend there was, on the one hand, a desire on the part of the court to avoid intestacy where there was no bequest of the residue, because unless you give general effect to the words, although they were preceded by the enumeration of the particulars, the testator might die intestate as to his residuary estate, and in that case the court conceives that the proper interpretation was to deal with the whole as being an imperfect enumeration in the first instance, followed by those larger words which were intended to carry the whole, so as to avoid an intestacy; and, on the other hand, where the intention was to deal with a particular portion of the estate, or with property referred to as being in a particular locality, then the necessity was no longer felt of giving full and complete effect to all those general words which followed the enumeration of the particulars": *Gibbs v. Laurence*, (1861) 30 L.J.Ch.N.S. 170. In that case it was held that a bequest of furniture, plate, linen, china, and pictures, and "all other goods, chattels, and effects which shall be in the house," at the time of the testator's death, did not include a sum of money then in the house, because in this case there was a residuary bequest and the doctrine *ejusdem generis* was applicable.

But a will whereby the testator gave "all my plate, linen furniture, and other effects that may be in my possession at the time of my death," was held by Sir George Jessel, M.R., to carry all the residuary personal estate. He said: "It is alleged that the words 'other effects' are to be cut down so as to mean that which is something like furniture, plate, or linen. But the answer is that the words ought to have their natural meaning given to them unless there is some contrary intention appearing in the will. The mere fact that the testator enumerates some items before the words 'other effects' does not alter the proper meaning of those words": (1876), *Hodgson v. Fex*, 2 Ch.D. 122. In that case there was no other residuary gift. See also *Chapman v. Chapman*, 4 Ch.D. 800, a similar decision by the same learned judge. To the same effect is the case of *Smyth v. Smyth*, (1878) 8 Ch.D. 561, where a testator gave by his will two legacies, and then gave "my sheep and all the rest residue, moneys, chattels, and other effects," to be equally divided between his four brothers,