

Peter elected to take the farm stock, implements, and other personal effects, except the furniture and household effects, and undertook to pay the legacies.

The will was made nearly thirty years before the death of the testator.

At the time of the death of the testator, he owned the parcel of land given to John and the parcel directed to be sold; but he had conveyed to Peter the parcel given to Peter by the will. He left farm stock valued at \$1,428, book-debts and notes \$759, moneys secured by mortgage \$582, and cash in bank \$10,524—in all about \$13,300. It was conceded that upon Peter's election he took the farm stock; but he claimed to be entitled to the other personal property specified. This claim was contested by the other members of the family. It was shewn by affidavit that at the date of the will the testator had about \$4,000 invested in farm stock and equipment, and but little ready money.

The motion was heard at the London Weekly Court.

G. G. McPherson, K.C., for the executors.

J. M. McEvoy, for Peter Mark Hord.

T. G. Meredith, K.C., for all other parties.

MIDDLETON, J., in a written opinion, said that the word "effects" was of the widest possible significance, and would, unless controlled by its context, cover the entire personal estate of the testator. The mere fact that there is a residuary bequest, and that the giving of this wide meaning to "effects" would leave no residue to be disposed of, was not in itself sufficient to narrow the meaning of the word; nor should the ejusdem generis rule be applied to its full extent.

There was sufficient in the will, however, to satisfy the learned Judge that the testator did not mean "effects" to have the significance contended for by Peter—the testator regarded his personal effects as something other than his entire personal estate.

Reference to *Hammill v. Hammill* (1884), 9 O.R. 530; *Gibbs v. Lawrence* (1860), 7 Jur. N.S. 137; *Re Pink* (1902), 4 O.L.R. 718; *Anderson v. Anderson*, [1895] 1 Q.B. 749; *Earl of Jersey v. Neath Guardians of the Poor* (1889), 22 Q.B.D. 555; *Larsen v. Sylvester & Co.*, [1908] A.C. 295; *Hodgson v. Jex* (1876), 2 Ch. D. 122; *King v. George* (1876), 4 Ch. D. 435; *Lippincott's Estate* (1896), 173 Penn. St. 368.

The will speaks of "other *personal* effects;" and to the use of "personal" great significance must be attributed, particularly when it is borne in mind that the testator had just spoken of his "household effects." "Personal effects" designates articles associated