

between brothers and sisters, and the rest of the kindred among themselves. Those of the right line are reckoned upwards, as parents, or downwards, as children; those of the collateral line are reckoned *ex transverso*, or sideways, as brothers and sisters, uncles and aunts, and such as are born from them. In the ascending and descending lines the degrees are the same by both laws, but in the collateral line they differ, and for the distribution of personal estate the degrees of kindred are reckoned according to the computation of the civil law, and not of the canon law, which the law of England adopts in the descent of real estates. In the descending line the son is in the first degree, the grandson in the second, and the great-grandson in the third. In the ascending line, the father is in the first degree, the grandfather in the second, and the great-grandfather in the third. In the collateral line, as reckoned according to the computation of the civil law, we ascend first to the father, which is one degree; from him to the common ancestor, the grandfather, which is the second degree; from the grandfather we descend to the uncle, which is the third degree; and from the uncle to the cousin-german or uncle's child, which is the fourth degree. So, again, we ascend to the father, which is one degree; from the father we descend to the brother, which is the second degree; from the brother to the nephew, which is the third degree; and from the nephew to the son of the nephew, which is the fourth degree.

The rule of the canon law, in the computation of degrees as to realty, is followed throughout the Dominion, except in Quebec and Nova Scotia. In Ontario, British Columbia, Keewatin and the North-West Territories upon the failure of heirs under their respective statutes, real property is distributed as if it were personal. Quebec and Nova Scotia are the only Provinces with one uniform law on this point; degrees, whether relating to realty or personalty, are computed according to the civil law.

In the division of personal estate the computation according to the civil law is followed throughout the Dominion.

Under the common law, on failure of lineal descendants, the realty descended to the collateral relations of the whole blood; but