



# Wills Act 1837

## 1837 CHAPTER 26 7 Will 4 and 1 Vict

### [1.] **Meaning of certain words in this Act: “Will”: “Real estate”: “Personal estate”: Number: Gender.**

The words and expressions herein-after mentioned, which in their ordinary signification have a more confined or a different meaning, shall in this Act, except where the nature of the provision or the context of the Act shall exclude such construction, be interpreted as follows; (that is to say,) the word “will” shall extend to a testament, and to a codicil, and to an appointment by will or by writing in the nature of a will in exercise of a power, [<sup>F1</sup>and also to an appointment by will of a guardian of a child,]<sup>F2</sup>and also to an appointment by will of a representative under section 4 of the Human Tissue Act 2004,] . . . <sup>F3</sup> and to any other testamentary disposition; and the words “real estate” shall extend to manors, advowsons, messuages, lands, tithes, rents, and hereditaments, . . . <sup>F3</sup> whether corporeal, incorporeal, or personal, [<sup>F4</sup>and to any undivided share thereof,] and to any estate, right, or interest (other than a chattel interest) therein; and the words “personal estate” shall extend to leasehold estates and other chattels real, and also to monies, shares of government and other funds, securities for money (not being real estates), debts, choses in action, rights, credits, goods, and all other property whatsoever which by law devolves upon the executor or administrator, and to any share or interest therein; and every word importing the singular number only shall extend and be applied to several persons or things as well as one person or thing; and every word importing the masculine gender only shall extend and be applied to a female as well as a male.

#### **Textual Amendments**

- F1** Words substituted by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(5)(6), [Sch. 13 para. 1](#): S.I. 1991/828, [art. 3\(2\)](#) (with [Sch. 14 para. 1\(1\)](#))
- F2** Words in s. 1 inserted (20.10.2005 for specified purposes, 1.9.2006 in so far as not already in force) by [Human Tissue Act 2004 \(c. 30\)](#), s. 60(2), [Sch. 6 para. 1](#) (with s. 58); S.I. 2005/2792, [art. 2\(2\)\(j\)](#); S.I. 2006/1997, [art. 3\(2\)](#) (with [arts. 478](#)) (as amended (5.8.2006) by S.I. 2006/2169, [art. 2](#))
- F3** Words repealed by [Statute Law \(Repeals\) Act 1969 \(c. 52\)](#), [Sch. Pt. III](#)
- F4** Words in s. 1 repealed (E.W.) (1.1.1997) by 1996 c. 47, s. 25(2), [Sch. 4](#) (with [ss. 24\(2\)](#), [25\(4\)\(5\)](#)); S.I. 1996/2974, [art. 2](#)

**Status:**

Point in time view as at 05/12/2005. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Wills Act 1837, Section 1.