

Wills Act Amendment Act 1852 (UK)

Imperial Act 24
Date of assent 17 June 1852

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An Act for the amendment of the Wills Act 1837

In the Title, the reference to the principal Act by its Short Title of "the Wills Act 1837", which was given to it by section 1 Short Titles Act 1896 (UK), has been substituted for a reference to the principal Act as "an Act passed in the first year of the Reign of Her Majesty Queen Victoria, intituled 'An Act for the amendment of the laws with respect to wills'".

1 Position of testator's signature

Where by the Wills Act 1837 it is enacted, that no will shall be valid unless it shall be signed at the foot or end thereof by the testator, or by some other person in his presence, and by his direction: Every will shall, so far only as regards the position of the signature of the testator, or of the person signing for him as aforesaid, be deemed to be valid within the said enactment, as explained by this Act, if the signature shall be so placed at or after, or following, or under, or beside, or opposite to the end of the will, that it shall be apparent on the face of the will that

the testator intended to give effect by such his signature to the writing signed as his will; and no such will shall be affected by the circumstance that the signature shall not follow or be immediately after the foot or end of the will, or by the circumstance that a blank space shall intervene between the concluding word of the will and the signature, or by the circumstance that the signature shall be placed among the words of the testimonium clause or of the clause of attestation, or shall follow or be after or under the clause of attestation, either with or without a blank space intervening, or shall follow or be after, or under, or beside the names or one of the names of the subscribing witnesses, or by the circumstance that the signature shall be on a side or page or other portion of the paper or papers containing the will whereon no clause or paragraph or disposing part of the will shall be written above the signature, or by the circumstance that there shall appear to be sufficient space on or at the bottom of the preceding side or page or other portion of the same paper on which the will is written to contain the signature; and the enumeration of the above circumstances shall not restrict the generality of the above enactment; but no signature under the said Act or this Act shall be operative to give effect to any disposition or direction which is underneath or which follows it, nor shall it give effect to any disposition or direction inserted after the signature shall be made.

The reference to the principal Act by its Short Title of “the Wills Act 1837”, which was given to it by section 1 of the Short Titles Act 1896 (UK), has been substituted for a reference to the principal Act as “an Act passed in the first year of the Reign of Her Majesty Queen Victoria, intituled ‘An Act for the amendment of the laws with respect to wills’”.

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3 Interpretation of word will

The word **will** shall in the construction of this Act be interpreted in like manner as the same is directed to be interpreted under the provisions in this behalf contained in the Wills Act 1837.

The reference to the principal Act by its Short Title of “the Wills Act 1837”, which was given to it by section 1 of the Short Titles Act 1896 (UK), has been substituted for a reference to the principal Act as “an Act passed in the first

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year of the Reign of Her Majesty Queen Victoria, intituled ‘An Act for the amendment of the laws with respect to wills’”.

4 Short Title

This Act may be cited as the Wills Act Amendment Act 1852.