

HER Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

- Interpretation of certain words in this Act. I. The words and expressions hereinafter 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, and also to a disposition by Will and Testament or Devise of the Custody and Tuition of any Child, by virtue of an Act passed in the twelfth year of the Reign of King Charles the Second, intituled, *An Act for taking away the Court of Wards and Liveries and Tenures in Capite and by Knights Service and Purveyance, and for settling a Revenue upon His Majesty in lieu thereof*"—sections eight and nine—and to any other testamentary disposition; and the words "*real estate*" shall extend to messuages, lands, rents and hereditaments, whether freehold or of any other tenure, and whether corporeal, incorporeal or personal, 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 moneys, 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.
- Real estate. 20
- Personal estate. 25
- Certain English Acts and parts of Acts repealed, viz: 32 Henry 8. 34, 35 Henry 8. Part of 29 Car. 2. (Frauds). II. An Act passed in the thirty-second year of the Reign of King Henry the Eighth, intituled, *The Act of Wills, Wards and primer Seizins, whereby a man may devise two parts of his land*; and also, an Act passed in the thirty-fourth and thirty-fifth years of the Reign of the said King Henry the Eighth, intituled, *The Bill concerning the explanation of Wills*; and also, so much of an Act passed in the twenty-ninth year of the Reign of King Charles the Second, intituled, *An Act for the prevention of Frauds and Perjuries*—as relates to devises or bequests of lands or tenements, or to the revocation or alteration of any devise in writing of any lands, tenements or hereditaments, or any clause thereof, or to the devise of any estate *par autre vie*, or to any such estate being assets, or to nuncupative Wills, or to the repeal, altering or changing of any Will in writing concerning any goods or chattels or personal estate, or any clause, devise or bequest therein; and also, so much of an Act passed in the fourth and fifth years of the Reign of Queen Ann, intituled, *An Act for the amendment of the Law and the better advancement of Justice*—as relates to witnesses to nuncupative Wills; and also, so much of an Act passed in the fourteenth year of the Reign of King George the Second, intituled, *An Act to amend*
- Part of 4, 5 Anne. 45
- Part of 14 G 2. 25 G. 2. 50