



Fines and Recoveries Act 1833

1833 CHAPTER 74 3 and 4 Will 4

40 †Tenant in tail to make a disposition by deed as if seised in fee, but not by will or contract; and if a married woman, with her husband's concurrence.

Every disposition of lands under this Act by a tenant in tail thereof shall be effected by some one of the assurances (not being a will) by which such tenant in tail could have made the disposition if his estate were an estate at law in fee simple absolute: Provided nevertheless, that no disposition by a tenant in tail shall be of any force either at law or in equity, under this Act, unless made or evidenced by deed; and that no disposition by a tenant in tail resting only in contract, either expressed or implied, or otherwise, and whether supported by a valuable or meritorious consideration or not, shall be of any force at law or in equity under this Act, notwithstanding such disposition shall be made or evidenced by deed; . . . ^{F1}

Textual Amendments

F1 Words repealed by [Statute Law \(Repeals\) Act 1969 \(c. 52\), Sch. Pt. III](#)

Modifications etc. (not altering text)

C1 A dagger appended to a marginal note means that it is no longer accurate

C2 [S. 40](#) amended by [Law of Property Act 1925 \(c. 20\), s. 167](#)

Changes to legislation:

There are currently no known outstanding effects for the Fines and Recoveries Act 1833, Section 40.