

ANNO VICESIMO QUARTO & VICESIMO QUINTO

VICTORIÆ REGINÆ.

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CAP. CXIV.

An Act to amend the Law with respect to Wills of Personal Estate made by *British* Subjects.

[6th *August* 1861.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Wills made out of the Kingdom to be admitted if made according to the Law of the Place where made.

1. Every Will and other testamentary Instrument made out of the United Kingdom by a *British* Subject (whatever may be the Domicile of such Person at the Time of making the same or at the Time of his or her Death) shall as regards Personal Estate be held to be well executed for the Purpose of being admitted in *England* and *Ireland* to Probate, and in *Scotland* to Confirmation, if the same be made according to the Forms required either by the Law of the Place where the same was made or by the Law of the Place where such Person was domiciled when the same was made, or by the Laws then in force in that Part of Her Majesty's Dominions where he had his Domicile of Origin.

Wills made in the Kingdom to be admitted if

2. Every Will and other testamentary Instrument made within the United Kingdom by any *British* Subject (whatever may be the Domicile of such Person at the Time of making the same or at the

made according to local Usage.

Time of his or her Death) shall as regards Personal Estate be held to be well executed, and shall be admitted in *England* and *Ireland* to Probate, and in *Scotland* to Confirmation, if the same be executed according to the Forms required by the Laws for the Time being in force in that Part of the United Kingdom where the same is made.

Change of Domicile not to invalidate Will.

3. No Will or other testamentary Instrument shall be held to be revoked or to have become invalid, nor shall the Construction thereof be altered, by reason of any subsequent Change of Domicile of the Person making the same.

Nothing in this Act to invalidate Wills otherwise made.

4. Nothing in this Act contained shall invalidate any Will or other testamentary Instrument as regards Personal Estate which would have been valid if this Act had not been passed, except as such Will or other testamentary Instrument may be revoked or altered by any subsequent Will or testamentary Instrument made valid by this Act.

Extent of Act.

5. This Act shall extend only to Wills and other testamentary Instruments made by Persons who die after the passing of this Act.

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