

T A S M A N I A



1879.

ANNO QUADRAGESIMO-SECUNDO

VICTORIÆ REGINÆ,

No. 26.



AN ACT to give effect in *Tasmania* to Probates and Letters of Administration granted in the other *Australasian* Colonies.

A.D. 1879.

[5 May, 1879.]

WHEREAS it is expedient to give to Probates and Letters of Administration granted in the other *Australasian* Colonies the like force and effect as if originally granted in *Tasmania* upon the same being resealed :

PREAMBLE.

Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1 In the construction and for the purposes of this Act, and of all proceedings thereunder, the following terms shall have the respective meanings hereafter assigned to them, except where there is something in the context repugnant to such construction ; that is to say—

Interpretation.

“ *Australasian* Colonies ” shall mean the Colonies of *New South Wales, Victoria, South Australia, Western Australia, Queensland, Tasmania, and New Zealand* : “ *Australasian* Colonies.”

“ Probate ” shall include “ Exemplification of Probate : ” “ Probate.”

“ Letters of Administration ” shall include “ Exemplification of Letters of Administration.” “ Letters of Administration.”

Intercolonial Probate.

A.D. 1879.

Probates and Administrations granted in other Colonies to be of like force as if granted in *Tasmania* on being re-sealed.

2 From and after the period at which this Act shall come into operation, when any Probate or Letters of Administration to be granted by the Supreme Court of any of the other *Australasian* Colonies shall be produced to, and a copy thereof deposited with, the Registrar of the Supreme Court of *Tasmania*, such Probate or Letters of Administration shall be sealed with the seal of the last-mentioned Court, and shall have the like force and effect, and have the same operation in *Tasmania*, and every executor and administrator thereunder shall perform the same duties and be subject to the same liabilities, as if such Probate or Letters of Administration had been originally granted by the Supreme Court of *Tasmania*.

Seal not to be affixed till duty is paid.

3 The seal of the Supreme Court of *Tasmania* shall not be affixed to any Probate or Letters of Administration granted in any of the other *Australasian* Colonies so as to give operation thereto as if the grant had been made by the Supreme Court of *Tasmania*, until all such probate, stamp, and other duties, if any, have been paid as would have been payable if such Probate or Letters of Administration had been originally granted by the Supreme Court of *Tasmania*; and further, such Letters of Administration shall not be so sealed until such bond has been entered into as would have been required if such Letters had been originally granted by the last-mentioned Supreme Court.

And as to administration till bond is entered into.

Commencement of Act.

4 This Act shall come into operation and take effect on and after the First day of *January*, 1880.

Short title.

5 This Act may be cited as "The Intercolonial Probate Act."