Opinion. 1816, July 25 [1]

As the property in question is not all situated within the limits of any one state, it is necessary to premise, that personal property has, in contemplation of law, no locality; & is, therefore, said to follow the law of the person of the owner. Hence, wherever it may, in point of fact, be located, the rules, which regulate the transmission of it, either by succession, or by will, are the laws of the last owner's domicil (1 H. Black. 690); i.e. the laws of the state, or sovereignty, in which he permanently, or statedly, resided, at the time of his death. In the present case, therefore, the question, so far as respects the personal property of the testatrix, must be governed, exclusively, by the laws of the state of N. York. – Real estate, on the other hand, is, to every legal purpose, local. So that, wherever the owner may reside, or wherever the disposing instrument may have been executed, a title to it can be acquired only according to the laws of the state, or sovereignty, in which it lies. And, as different parts of the real estate in question, appear, by the schedule, to lie in different states; the question, as to those several parts, respectively, must be decided by the laws of the respective states, in which they are situate.

As to the general question, whether a feme covert can bequeath personal property, I take it to be a clear rule of the common law, that she cannot, except by the license of the husband. (2 Black. 498. 1 Mod. 211. Off. Ex. 196. ~~2 Mod.~~ 2 Stra. 891. 2 Mod. 170.)

and