

If no satisfactory evidence is adduced respecting the time when an erasure or obliteration was made, and the words erased or obliterated are not entirely effaced, and can, on inspection of the will, be ascertained, they shall form part of the probate.

Where words have been erased which might have been of importance, an affidavit shall be required.

If reasonable doubt exists in regard to any interlineation, alteration, erasure, or obliteration, the Court, if other than the Court of the Consul-General, shall communicate with him for directions.

204. Where a will contains a reference to any document, of such a nature as to raise a question whether it ought or ought not to form a constituent part of the will, the Court shall require the production of the document, with a view to ascertaining whether or not it is entitled to probate; and if it is not produced, a satisfactory account of its non-production shall be proved.

A document cannot form part of a will unless it was in existence at the time when the will was executed.

If there are vestiges of sealing-wax or wafers or other marks on the will, leading to the inference that some document has been at some time annexed or attached thereto, a satisfactory account of them shall be proved, or the production of the document shall be required; and if it is not produced, a satisfactory account of its non-production shall be proved.

If doubt exists whether or not a document is entitled to probate as a constituent part of a will, the Court, if other than that of the Consul-General, shall communicate with him for directions.

205. Where a person appointed executor in a will survives the testator, but either dies without having taken probate, or, having been called on by the Court to take probate, does not appear, his right in respect of the executorship wholly ceases; and, without further renunciation, the representation to the testator, and the administration of his property shall go and may be committed as if that person had not been appointed executor.

206. Every will or copy of a will to which an executor or an administrator, with will annexed, is sworn, shall be marked by the executor or administrator, and by the person before whom he is sworn.

207. The Court shall take care that the copies of wills to be annexed to probates or letters of administration are fairly and properly written, and shall reject any not so written.

208. The Court in granting letters of administration, shall proceed, as far as may be, as in cases of probate.

The Court shall ascertain the time and place of the deceased's death, and the value of the property to be covered by the administration.

The person to whom administration is granted shall give bond with two or more responsible British subjects, as sureties, to the Consul-General, to ensure to the Consul-General for the time being, conditioned for duly collecting, getting in, and administering the personal property of the deceased.

Where, however, the property is under the value of £50, the Court may, if it thinks fit, take one surety only.

The bond shall be in a penalty of double the amount under which the personal estate of the deceased is sworn, unless the Court in any case thinks it expedient to reduce the amount, for

reasons to be forthwith certified to the Consul-General.

The Court may also in any case direct that more bonds than one shall be given, so as to limit the liability of any surety to such amount as the Court thinks reasonable.

The Consul-General may, on being satisfied that the condition of the bond has been broken, assign the same to some person, and that person may thereupon sue on the bond in his own name, as if it had been originally given to him instead of to the Consul-General, and may recover thereon, as trustee for all persons interested, the full amount recoverable in respect of any breach of the condition of the bond.

209. Where administration is applied for by one or some of the next of kin only, there being another or other next of kin equally entitled thereto, the Court shall require proof that notice of the application has been given to the other next of kin.

210. A person claiming to be a creditor or legatee, or the next of kin, or one of the next of kin, of a deceased person, may apply for and obtain, without petition filed or other preliminary proceeding, a summons from the Court requiring the executor or administrator (as the case may be) of the deceased to attend before the Court and show cause why an order for the administration of the property of the deceased should not be made.

On proof of service of the summons, or on appearance of the executor or administrator, and on proof of all such other things (if any) as the Court thinks fit, the Court may, if it thinks fit, make an immediate order for the administration of the property of the deceased, and the order so made shall have the force of an order to the like effect made on the hearing of a suit between the same parties.

The Court shall have full discretionary power to make or refuse any such order, or to give any special directions respecting the carriage or execution of it, and in the case of applications for such an order by two or more different persons, or classes of persons, to grant the same to such one or more of the claimants, or classes of claimants, as the Court thinks fit.

If the Courts thinks fit, the carriage of the order may subsequently be given to such person, and on such terms, as the Court thinks fit.

On making such an order, or at any time afterwards, the Court may, if it thinks fit, make any further or other order for compelling the executor or administrator to bring into Court, for safe custody, all or any part of the money, or securities, or other property of the deceased, from time to time coming to his hands, or otherwise for securing the safe keeping of the property of the deceased, or any part thereof.

If the extreme urgency or other peculiar circumstances of the case appear to the Court so to require (for reasons recorded in the minutes), the Court may, of its own motion, issue such a summons, and make such an order or such orders, and cause proper proceedings to be taken thereon.

211.—(a.) Where probate, administration, or confirmation is granted in England, Ireland, or Scotland, and therein, or by a memorandum thereon signed by an officer of the Court granting the same, the testator or intestate is stated to have died domiciled in England, Ireland, or Scotland (as the case may be), and the probate, administration, or confirmation is produced to, and a copy thereof is deposited with, the Court, the Court shall write thereon a certificate of