

and a copy thereof is deposited with, the Court, the Court, by a Judicial Commissioner, shall write thereon a certificate of that production and deposit, and thereupon the probate, administration, or confirmation shall, in respect of the property within the limits of this Order of the testator or intestate, have the like effect as if he had been resident within the limits of this Order at his death, and probate or administration to his property there had been granted by the Court.

(2) Any person who, in reliance on an instrument purporting to be a probate, administration, or confirmation, granted in England, Ireland, or Scotland, and to bear the said certificate of the Court, makes or permits any payment or transfer, in good faith, shall be, by virtue of this Order, indemnified and protected in respect thereof, within the limits of this Order, notwithstanding anything affecting the validity of the probate, administration, or confirmation.

11.—(1) 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 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.

(2) 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.

(3) The Court shall have full discretionary power to make or refuse or postpone the making of 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.

(4) If the Court thinks fit, the carriage of the Order may subsequently be given to such person, and on such terms, as the Court thinks fit.

(5) On making such 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.

(6) 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 orders and cause proper proceedings to be taken thereon.

#### PART II.

12. For the purposes of this part of this Order the expression "unrepresented estate" means—

(A) the estate of a deceased person

(i) who has died intestate as to the whole or any part of his estate; or

(ii) whose will cannot be found; or

(iii) who has not appointed an executor of his will; or

(iv) whose executor or executors has or have predeceased him or is or are not in the Protectorate in which the estate of the testator is situate; or

(v) whose executor or executors refuses or refuse or is or are unable to act; and who, in each of these cases, has left him surviving in the Protectorate no person (other than the official administrator hereinafter named) entitled by law to a grant of and able and willing to take administration of his estate or administration thereof with the will annexed;

(B) the estate, or any part of the estate, of a deceased person which at any time after a grant of probate or of letters of administration has been made, is unadministered, and in respect whereof there is no representative in law in the Protectorate where that estate or part of that estate is.

13.—(1) Subject to the approval of a Secretary of State, the High Commissioner may, for and in respect of each Protectorate, appoint a fit and proper person to be the official administrator of unrepresented estate therein.

(2) Subject to confirmation by a Secretary of State, the High Commissioner may remove any person so appointed.

(3) Until the appointment aforesaid is made, the Resident Commissioner in each Protectorate shall be the official administrator therefor and therein.

14. The official administrator shall, as soon as possible after his right to do so, accrued under the provisions of this Order, take possession of any unrepresented estate of a deceased person in the Protectorate and apply forthwith to the Court for an order for letters of administration thereof, or of administration thereof with the will annexed (as the case may be) to issue to him, and the Court if satisfied that there is no person in the Protectorate other than the official administrator entitled to and able and willing to take the said grant shall make a grant to the official administrator accordingly.

15.—(1) Any person by law entitled to a grant of probate or of letters of administration (with or without the will annexed) of the estate of any deceased person, the administration whereof has been granted to the official administrator, may, within five years from the date of the last-mentioned grant, apply to the Court for revocation thereof and for a grant to him of probate, or of administration of that estate, or such part thereof as is still unadministered, and the Court, if satisfied that the applicant is entitled thereto, shall make the appropriate grant.

(2) Nothing done by the official administrator under the grant of administration to him shall be rendered invalid, or be liable in any way to be impeached by reason only of the subsequent revocation thereof.

16.—(1) After the expiration of five years from the date of an order for administration of any unrepresented estate of a deceased person by the official administrator, that estate or so much thereof as has descended or is distributable and is then unclaimed, or the person or persons entitled to which is or are unknown shall, on the application of the official administrator to