

PART II
**Subsidiary Legislation under the Supreme Court Act
 (Chapter 53)**

PROBATE RULES
 (SECTION 29)

[Commencement 6th October, 1917]

G.N. 327/1917
 G.N. 130/1922
 G.N. 186/1948
 G.N. 119/1953

Title and
 interpretation.

1. (1) These Rules may be cited as the Probate Rules.

(2) The expressions used in these Rules, unless the context otherwise requires, shall have the same meanings as are assigned to similar expressions by the Supreme Court Act or by the Interpretation Act.

Ch. 53.
 Ch. 2.

“The applicant” means the person seeking from the Court a grant of Probate or Letters of Administration, or the sealing of Probate or Letters of Administration, or other testamentary paper granted out of the jurisdiction of the Court.

Application for
 Probate, etc.

2. An application for Probate or Letters of Administration, or for sealing a Probate or Letters of Administration or other testamentary paper granted out of the jurisdiction, must be made either in person or by counsel, except where the applicant is out of the jurisdiction in which case he may authorize someone by a Power of Attorney to make the application on his behalf, and the person so authorized may appear in person or by counsel.

Payments of fees.

3. An application must be made by filing a Petition in the Registry of the Court, after payment of the stamp duties and Court fees specified in rule 30(2).

Documents
 necessary to lead
 grant.

4. The following documents necessary to lead the grant must also be filed in the Registry:

G.N. 186/1948.

In the case of Probate —

- (a) the original will or a photostatic copy thereof;
- (b) an affidavit of an attesting witness in proof of the due execution of the will, and if both attesting witnesses are dead or if from any other circumstances no affidavit can be obtained from

either of them, resort must be had to other persons (if any) who may have been present at the execution of the will or codicil. If no affidavit of any such other person can be obtained evidence on affidavit must be procured of that fact and of the handwriting of the deceased and the subscribing witnesses and also of any circumstances which may raise a presumption in favour of the due execution;

- (c) an affidavit of an executor showing the date and place of death, giving in the Schedule thereto a description of all the property of the deceased to be affected by the grant applied for and stating the estimated value of the personal estate.

In the case of Letters of Administration —

- (a) an affidavit of the applicant proving and stating the same facts as those required in an executor's affidavit, and stating the grounds on which the applicant bases his claim; and
- (b) if for Letters of Administration with the will annexed an affidavit of proof of the due execution of the will, to which affidavit the original will or a photostatic copy thereof must be made an exhibit. Where a will is filed, the Registrar may accept a fair copy thereof to be annexed to the Letters.

5. Where the application is for Letters of Administration of the estate of a bastard dying a bachelor, or a spinster, or a widower, or widow, without issue, notice of the application must be given by the Registrar to the Attorney General, and no grant shall issue until the Attorney General has signified the course he intends to take.

Estate of
bachelor, etc.

6. (1) Where an application is made in person and the goods and chattels of the deceased are under the value of forty dollars and the real estate is of very small value, the papers, where the applicant resides in New Providence, must be prepared by the Registrar, and where the applicant resides on an Out Island by the commissioner who, on completion thereof, shall forward the same without delay to the Registrar, together with the stamp duties and fees specified in rule 30(2).

Application in
person.
G.N. 130/1922;
5 of 1987, s. 2.

(2) Where counsel appears, he must prepare the papers and submit them for approval.

Affidavit.
G.N. 186/1948.

7. An affidavit may be sworn in an Out Island before the commissioner or other justice of the peace in such Out Island and in New Providence before the Registrar or a notary public practising within The Bahamas.

Testamentary
papers must be
marked.
G.N. 186/7948.

8. Every testamentary paper referred to in the affidavit to which any deponent is sworn must be marked by the deponent and by the person before whom the affidavit is sworn in accordance with Rule 7.

Filing in
Registry.

9. An affidavit intended to be used before a Judge must first be filed in the Registry.

Issue of Probate.

10. No Probate will be issued until after the lapse of fourteen days from the death of the testator except in a case of urgency when the facts of such case shall be laid before a Judge on motion in open Court.

Application for
Letters of
Administration.

11. (1) Where Letters of Administration are applied for, the Registrar shall, on the filing of the necessary papers, insert a notice of the application in three successive issues of the *Gazette* stating that the application will be set down to be heard by a Judge at the expiration of the time to be specified in such notice.

(2) The time to be so specified for the setting down for hearing of an application, in relation to the estate of a deceased person whose place of residence had been at New Providence, shall not be earlier than fourteen days from the date of the notice. In relation to the estate of a deceased person whose place of residence had been on an Out Island, the Registrar when fixing the time to be specified in the notice shall allow such period, not less than fourteen days, as will afford the Court an opportunity for ascertaining whether notice of the application for Letters had been published at the Out Island in manner hereafter required.

(3) Letters of Administration, in respect of the estate of a deceased person whose place of residence had been on an Out Island, shall not be issued unless and until the Court is satisfied that notice of the application therefor has been duly advertised at such Out Island. For this purpose (except in the case hereinafter expressly provided for) the

Registrar shall by the earliest opportunity have a copy of the *Gazette* notice of the application sent to the commissioner of the Out Island with a request that he will cause the same to be affixed for publication in a conspicuous place near to the principal door of the police court or magistrate's office thereat for a period of at least six days, and that he will forward by the next return post thereafter a notification of the receipt of such notice and of its publication:

Provided that it shall not be requisite for the Registrar to send a copy of the *Gazette* notice to the Out Island if it is proved to his satisfaction that the commissioner had already, and before the filing of the necessary papers in the Registrar's Office, caused a clear and sufficient notice to be affixed near to the door of his police court or magistrate's office to the effect that the applicant therein named had expressed his intention of applying at the earliest possible opportunity, to the Supreme Court for Letters of Administration of the estate of the deceased person therein named.

12. When all the papers deemed by the Registrar to be necessary in the case of an application for Probate have been filed or in the case of an application for Letters of Administration when the time mentioned in the *Gazette* notice has expired, and no caveat has been entered, the Registrar, by direction of a Judge, shall fix a day for the hearing of the application and on the day so fixed shall attend before the Judge with the papers.

Hearing.

13. Evidence of the identity of the applicant may be required in cases where the application is made in person.

Identity of applicant.

14. A Judge may require such evidence as he may think necessary for proof of identity, or for further proof of any fact stated in an affidavit, or for any other purpose. He shall direct whether the evidence shall be given on affidavit or viva voce.

Proof of identity.

15. If the Judge decides not to grant the application, the Registrar shall notify the applicant of such decision together with the grounds therefor, and shall certify a claim for the refund to the applicant of the stamps and fees mentioned in the proviso to rule 30(3).

Where application not granted.

Filing of bonds.

16. If the Judge decides to grant the application, the Registrar shall notify the applicant that upon the execution and filing of the necessary bond or bonds, the grant will issue.

Entering into a bond.
5 of 1987, s.2.

17. Where the Judge decides to grant Probate or Letters of Administration, the applicant shall be required, in accordance with the provisions of the Probate Act, to enter into a bond with two or more sureties in the sum of four hundred dollars, with the conditions specified in the first section of the said Act.

Administration Bond.
5 of 1987, s.2.

18. Where the Judge decides to grant Letters of Administration, the applicant shall also be required to enter into another bond, to be called the “Administration Bond”, for the due administration of the estate. The Administration Bond must be given in double the amount of the estate. If the estate is under two hundred dollars, one surety will be required, if it is over that amount, two sureties will be required; unless, in any particular case, the Judge may approve of only one surety.

Form of Administration Bona.

19. The Administration Bond shall be in such prescribed form as is specially applicable to the circumstances of the particular case; that is to say, Form X for administration of an estate under Letters with a will annexed; Form XI for administration of an intestate’s estate; Form XII where the applicant had sought the grant as a creditor of the estate.

Attestation.

20. Where a grant is to be made to an applicant residing or being in the Island of New Providence, the bonds must be attested by the Registrar. Where a grant is to be made to an applicant residing and being at an Out Island the bonds must be attested by the commissioner.

Issue of grant.

21. (1) Upon the necessary bonds having been duly executed and all Court fees and stamp duties having been paid, the Judge will direct the Registrar to prepare the grant. The Judge will then sign it and the Registrar will Issue it.

(2) The Registrar is to take care that the copy of the will to be annexed to Letters of Probate, or Letters of Administration cum testamento annexo, is fairly and properly written and he is to reject that which is otherwise. The Registrar shall carefully examine the said copy and write “Correct copy” with his initials at the foot thereof

and apply the seal of the Court thereon. When the copy is made in the Registry, and exceeds six folios (of seventy-two words) in length, the Registrar shall charge an extra fee of ten cents for each folio in excess of the said six folios.

5 of 1987 s.2.

22. In the case of a grant of Letters of Probate or Letters of Administration *cum testamento annexo*, the Judge will sign a duplicate (or office) copy of such grant, which copy shall be attached to the will and transmitted therewith by the Registrar to the Registrar of Records, who after recording shall return the same to the Registrar for filing.

Letters of Probate cum testamento annexo.

23. The Judge will, if necessary, at any time issue a warrant of appraisal directing certain persons to ascertain the value of the personal estate of the deceased, or any part thereof, and to make a return setting forth the nature and value of the same and such return must be filed in the Registry.

Warrant of appraisal.

24. The persons making the return referred to in Rule 23 must at the time of making it also make a declaration as to its truth. This declaration in the Island of New Providence must be made before the Registrar, and in an Out Island must be made before the commissioner.

Declaration of truth.

25. Where application is made for the resealing of a Probate or Letters of Administration or other testamentary paper granted out of the jurisdiction or any duplicate or certified copy thereof, the applicant shall lodge such document in the Registry and shall also file a copy thereof certified as a correct copy and an affidavit showing the domicile of the deceased, the place and date of his death and a description and the estimated value of the estate within The Bahamas. Upon the resealing, the document lodged in the Registry when duly resealed shall be returned to the applicant and the copy filed in the Registry shall also be resealed and transmitted to the Registrar of Records, who, after recording, shall return the same to the Registrar of the Court for filing.

Application for resealing of Probate.
G.N. 186/1948.

26. Notice that the application has been made shall (unless otherwise ordered by a Judge) be published in the same way as in the case of an application for Letters of Administration. On the expiration of the time notified, if no caveat has been entered, the Registrar, by direction of the Judge, will fix a day for the hearing of the application.

Notice of application.

Security for
payment of
debts.

27. The applicant must be prepared to give adequate security for the payment of debts due from the estate to creditors in The Bahamas, if the Judge so requires it. He must also give a bond as required by section 2 of the Probate Act and, where Letters of Administration are sought to be sealed, also a bond for the due administration of the estate found in The Bahamas.

Sealing of
document.

28. The Registrar, upon sealing any such document, shall without delay give written notice of such sealing to the Court, Registry or office from which such document has issued.

Other matters.

29. All other matters in connection with the sealing of testamentary papers granted out of the jurisdiction shall be governed and regulated by these Rules with the necessary changes.

Stamps and fees.

30. (1) All Court fees and stamp duties payable in respect of matters transacted under these Rules shall be paid to the Registrar, or on an Out Island to the commissioner, in the following manner.

5 of 1987, s.2

(2) At or before the filing of the Petition the applicant shall (unless, in any particular case, otherwise ordered by a Judge) deposit with the Registrar, or in a case where the applicant resides in an Out Island shall pay to the commissioner, to be deposited with the Registrar, the value in money of the stamp duties and fees, payable in probate matters according to the following scale:

	\$ c
Where the personal estate is under the value of \$200	4.60
Where the personal estate is of the value of \$200 and under \$400	6.70
Where the personal estate is of the value of \$400 and under \$2000	7.70
Where the personal estate is of the value of \$2000 and over	9.70

Plus, in the case of an application for Letters of Administration, the amount of stamp duty chargeable upon the principal sum in the Administration Bond (which sum is, according to Rule 18, to be in double the declared value of the personal estate).

(3) The Registrar shall give the applicant a receipt for the deposit which shall be paid into the Treasury; and such deposit shall be received as made in respect of fees and stamps payable upon the following documents: the “Petition”, the “Affidavits” mentioned in Rule 4, and the “Order of the Court”, and in addition (in contemplation of the application being granted) the “Bond, or Bonds”, the “Grant” and the “Return of Personal Estate”:

Provided that, in a case where a Judge shall decide not to issue a grant, the Registrar shall certify a claim for the refund from the Treasury to the applicant of such portion of the applicant’s deposit as represents the stamps and fees payable in respect of the bond or bonds, the grant and the return as aforesaid.

(4) In a case where fees other than those herein referred to become payable, such fees shall be paid by the applicant in advance.

(5) When the documents, in respect of which stamps and fees have been paid as aforesaid, are received at the Registry they shall, before being filed, be stamped by the Registrar in accordance with the Stamp Rules.

31. Where, after a grant of Letters of Probate or Administration has been made, it shall transpire that the applicant had, in the affidavit filed with the Petition, made an error in the estimated value of the personal estate of the deceased, the Registrar may require the grantee to return the Letters for rectification by the Judge, who may make such an order either for a refund of or for further payment of Court fees or stamp duties and, in the case of Administration, for more security by way of bond or otherwise as the circumstances of the case shall require.

Error in
estimated value
of personal
estate.

**FORM I
PETITION**

IN THE SUPREME COURT, No.
PROBATE SIDE.

In the estate of A.B., deceased.

A grant of Probate (*or of Letters of Administration or of Letters of Administration with the will annexed, as the case may be*) is prayed for in respect of the real and personal estates and effects of A.B. late of
in the Island of deceased.

(Signed) C.D.,(the applicant).

To the Registrar of the Supreme Court.

The day of 19.....

**FORM IA
PUBLIC NOTICE**

(For the use of Commissioners; in relation to the proviso to Rule 11(3).)

In the estate of A.B., deceased.

It is hereby notified, for the information of those it may concern, that C.D. of
intends, at the earliest possible opportunity hereafter, to apply at Nassau, on the Probate Side of the Supreme Court, for a grant of Administration (*with Will annexed*) in respect of the real and personal estates of A.B. late of
in the Island of deceased.

(Signed)

Commissioner.

Dated this day of 19.....

FORM II
AFFIDAVIT OF ATTESTING WITNESS IN PROOF OF THE
DUE EXECUTION OF A WILL OR CODICIL

IN THE SUPREME COURT,
PROBATE SIDE.

No.

In the estate of A.B., deceased.

I, C.D., of in the Island of
make oath and say (*or solemnly, sincerely, and truly declare and affirm*) that I am one of the subscribing witnesses to the last will and testament (or codicil as the case may be), of A.B., late of in the Island of deceased, the said will (*or codicil*) being now hereunto annexed, bearing date and that the said A.B. executed the said will (*or codicil*) on the day of the date thereof, by signing his name at the foot or end thereof (*or in the attestation clause thereto or as the case may be*), as the same now appears thereon, in the presence of me and of the other subscribed witness thereto, both of us being present at the same time, and we thereupon attested and subscribed the said will (*or codicil*) in the presence of the said testator.

(*Signed*) C.D.

Sworn at on the day of
..... 19.....

Before me

FORM III
OATH FOR AN EXECUTOR

IN THE SUPREME COURT,
PROBATE SIDE.

No.

In the estate of A.B., deceased.

I, C.D., of in the Island of make
oath and say (*or solemnly, sincerely, and truly declare and affirm*) that I believe the paper writing (or the paper writings) hereunto annexed and marked by me to contain the true and original last will and testament (or last will and testament with codicils) of A.B., late of
in the Island of deceased, who was domiciled in The Bahamas at the time of his death, and that I am the sole executor (*or executrix or one of the executors or executrices*) therein named, and that I will well and faithfully administer the real and personal estates and effects of the said deceased and pay his just debts and the legacies contained in his will (*or will and codicils*) so far as the same shall thereto extend and the law bind me; that I will exhibit a true and perfect inventory of all and singular the said

estates and effects, and render a just and true account thereof, whenever required by law so to do; that the testator or testatrix died at in the Island of on the day of 19 and that the said testator had, at the time of his death, a fixed place of abode at.....; and that, to the best of my knowledge, information and belief, the whole of the property of the said deceased to be affected by the grant applied for, is comprised or referred to in the Schedules annexed to this affidavit and the personal estate and effects, of which the said deceased died possessed, are under the value of dollars.

(Signed) C.D.

Sworn at on the day of 19.....

Before me

SCHEDULES

PERSONAL ESTATE AND EFFECTS OF THE SAID DECEASED, WITH ESTIMATED VALUE THEREOF

Household goods, linen, wearing apparel, books, plate, jewels, etc.	\$ ¢
Money in possession of deceased at the time of his death	
Amounts deposited in a bank, at interest	
Amounts deposited in a bank, not at interest	
Money out on mortgage or loan, and other securities	
Stock in trade, farming stock, and implements of husbandry	
Other personal property not comprised under the foregoing heads	
TOTAL estimated value of Personal Estate and Effects	_____ \$ _____

Real Property owned by the said deceased.

GENERAL DESCRIPTION OF THE PREMISES AND SITUATION OF THE LAND.	OCCUPIER OR TENANT.	ESTIMATED ACREAGE OF MEASUREMENT.
1. House, No. 336 Bay Street, in the City of Nassau	Family of the deceased.	20ft. by 200ft.
2. House and land known as “Jumper Estate”, on Farm Road, Southern District of the Island of New Providence —	James Brown.	2 acres.
3. Farm land called “The Grove Estate”, at Tarpum Bay, in the Island of Eleuthera.	Samuel Smith.	20 acres.
4.		

**FORM IV
OATH FOR AN ADMINISTRATOR WITH THE WILL**

IN THE SUPREME COURT, No.
PROBATE SIDE.

In the estate of A.B., deceased.

I, C.D., of in the Island of
make oath and say (*or solemnly, sincerely and truly declare and affirm*)
that I believe the paper writing (*or the paper writings*) hereunto annexed
and marked by me to contain the true and original last will and testament
(*or the last will and testament with codicils*) of A.B., late of
.....
in the Island of deceased, and that
E.F., (*insert his relationship, if any, to the deceased*) the sole
executor therein named, survived the said deceased, and is since dead
without having taken probate thereof (*or as the fact may be*); that I
am the (*insert the relationship to deceased, if any*) residuary legatee

in trust named therein (*or as the fact may be*); that I will well and faithfully administer the real and personal estates and effects of the deceased, pay his just debts and the legacies contained in his will (*or will and codicils*), and distribute the residue of his estates according to law; that I will exhibit a true and perfect inventory of all and singular the said real and personal estates and effects and render a just and true account thereof, whenever required by law so to do; that the testator died at on the day of 19.....; and that the said testator at the time of his death had a fixed place of abode at and that to the best of my knowledge, information, and belief, the whole of the property of the said deceased to be affected by the grant applied for, is comprised or referred to in the Schedules annexed to this affidavit and the personal estate and effects of which the said deceased died possessed, are under the value of dollars.

(Signed)..... C.D.

Sworn at on the day of 19.....

Before me

SCHEDULES

(SAME SCHEDULES AS THOSE IN FORM III)

FORM V

OATH FOR AN ADMINISTRATOR

IN THE SUPREME COURT,
PROBATE SIDE.

No.

In the estate of A.B., deceased.

I, C.D., of in the Island of make oath and say (*or solemnly, sincerely and truly declare and affirm*) that A.B., late of in the Island of deceased, died intestate, a bachelor, without parent, brother or sister, uncle or aunt, nephew or niece (*or as the case may be*) and that I am the lawful cousin-german (*or as the case may be*) and one of the next of kin (*or only next of kin of the said deceased, as the case may be*); that I will faithfully administer the real and personal estates and effects of the said deceased and pay his just debts and the legacies contained in his will (*or will and codicils*) so far as the same shall thereto extend and the law bind me, and distribute the residue of his said estates

and effects according to law; that I will exhibit a true and perfect inventory of all and singular the said estates and effects, and render a just and true account thereof, whenever required by law so to do; that the said deceased died at on the day of 19.....; and that the said deceased at the time of his death had a fixed place of abode at ; and that, to the best of my knowledge, information and belief, the whole of the property of the said deceased to be affected by the grant applied for is comprised or referred to in the Schedules annexed to this affidavit, and the personal estate and effects of which the said deceased died possessed are under the value of dollars.

(Signed)..... C.D.

Sworn at on the day of 19.....

Before me

**FORM VI
PROBATE**

IN THE SUPREME COURT,
PROBATE SIDE.

No.

In the estate of A.B., deceased.

BE IT KNOWN that on the day of 19....., the last will and testament (*or the last will and testament with codicils*) hereunto annexed of A.B., late of in the Island of deceased, who died on at was proved and registered in this Court, and that administration of all and singular the real and personal estates and effects of the said deceased was granted by this Court to C.D., the sole executor (*or as the case may be*) named in the said will, he having been first sworn well and faithfully to administer the same and pay the just debts of the deceased and the legacies contained in his will (*or will and codicils*) and to exhibit a true and perfect inventory of all and singular the said estates and effects, and to render a just and true account thereof whenever required by law so to do.

(L.S.)

.....

Judge.

FORM VII
LETTERS OF ADMINISTRATION WITH THE
WILL ANNEXED

IN THE SUPREME COURT, No.
PROBATE SIDE.

In the estate of A.B., deceased.

BE IT KNOWN, that A.B., late of in
the Island of
deceased, who died on the day of
19..... at and who at the time of his death had a
fixed place of abode at, made and duly executed his
last will and testament (*or will and codicils
thereto*) and did therein name (*or did not therein
name any*) executor (*or as the case may be*).

AND be it further known that on the day of
..... 19....., letters of administration with the
said will
annexed of all and singular the real and personal estates and
effects of the said deceased were granted by this Court to C.D.
(insert the character in which the grant was taken), he having
been first sworn well and faithfully to administer the same by
paying the just debts of the said deceased, and the legacies
contained in his will (*or will and codicils*) and distributing the
residue of his estates according to law, and to exhibit a true and
perfect inventory of all and singular the said estates and effects,
and to render a just and true account thereof whenever required
by law so to do.

(L.S.)

.....
Judge.

FORM VIII
LETTERS OF ADMINISTRATION

IN THE SUPREME COURT, No.
PROBATE SIDE.

In the estate of A.B., deceased.

BE IT KNOWN that on the day
of 19....., Letters of Administration of
all and singular the real and personal estates and effects of
A.B., late of in the Island of
deceased, who died on the day of
19....., at intestate, and had at the
time of his death a fixed place of abode at, were
granted by this Court to C.D., the lawful widow and relic

(or as the case may be) of the said intestate, she having been first sworn well and faithfully to administer the same, by paying the just debts of the said intestate, and distributing the residue of his estates and effects according to law, and to exhibit a true and perfect inventory of all and singular toe said estates and effects, and to render a just and true account thereof whenever required by law so to do.

(L.S.)

.....
Judge.

FORM IX
BOND FOR MAKING RETURN INTO REGISTRY AND
PAYING DUTIES

IN THE SUPREME COURT, No.
PROBATE SIDE.

In the estate of A.B., deceased.

KNOW all men by these presents that we

.....
are jointly and severally bound unto our Sovereign Lady the Queen, her successor and successors, in the sum of four hundred dollars of good and lawful money of the Bahama Islands, to be paid to our said Sovereign Lady the Queen, her successor and successors, for which payment well and truly to be made we bind ourselves and each and every one of us for the whole, our heirs, executors and administrators, firmly by these presents. Sealed with our seals.

Dated the day of in the year of Our Lord one thousand nine hundred and

THE CONDITION of this obligation is such that if the above-named shall within six calendar months after the date hereof return into the Office of the Registrar of this Court a true and correct account in the form in the Schedule annexed to the Probate Act, showing the value of the personal estate and effects of the said A.B., deceased, and also shall and do within the said period of six calendar months make all payments required by any Act of Assembly in respect of such estate to the Treasury, then this obligation shall be void and of none effect, or else to remain in full force and virtue.

Signed, sealed and delivered by the within named in the presence of

FORM X
ADMINISTRATION BOND FOR ADMINISTRATORS WITH
THE WILL

IN THE SUPREME COURT, No.
PROBATE SIDE.

In the estate of A.B., deceased.

KNOW all men by these presents, that we, C.D., of E.F., of and G.H., of are jointly and severally bound unto The Honourable Judge of the Supreme Court of the Bahamas in the sum of dollars of good and lawful money of the Bahamas, to be paid to the said Judge, or to the Judge for the time being, for which payment well and truly to be made we bind ourselves and all of us for the whole, our heirs, executors and administrators, firmly by these presents. Sealed with our seals.

Dated the day of in the year of Our Lord one thousand nine hundred and

THE CONDITION of this obligation is such that if the above-named C.D., the of I.J., late of deceased, who died on theday of 19..... and the intended administrator with the will of all and singular the real and personal estates and effects of the said A.B., late of deceased, who died on the day of 19....., do, when lawfully called on in that behalf, make or cause to be made a true and perfect inventory of all and singular the said estates and effects of the said A.B., which have or shall come to his hands, possession or knowledge and the same so made do exhibit or cause to be exhibited into the Registry of the Supreme Court whenever required by law so to do, and the same real and personal estates and effects do well and truly administer, that is to say, do pay the debts of the said deceased which did owe at his decease, and then the legacies contained in the said will annexed to the said Letters of Administration so to committed, as far as the said estates and effects will thereto extend, and the law charge him, and further do make or cause to be made a just and true account of his said administration when he shall be thereunto lawfully required, and all the rest and residue of the said real and personal estates and effects shall deliver and pay unto such person or persons as shall be by law entitled thereto then this obligation to be void and of none effect, or else to remain in full force and virtue.

C.D. (L.S.)
E.F. (L.S.)
G.H. (L.S.)

Signed, sealed and delivered by the within named C.D., E.F. and G.H. in the presence of

FORM XI
ADMINISTRATION BOND

IN THE SUPREME COURT, No.
PROBATE SIDE.

In the estate of A.B., deceased.

KNOW all men by these presents, that we, C.D., of
E.F., of and G.H., of are jointly and
severally bound unto The Honourable Judge
of the Supreme Court of the Bahamas, in the sum of dollars
of good and lawful money of the Bahamas, to be paid to the said Judge
or to the Judge for the time being, for which payment well and truly to
be made we bind ourselves and of us for the whole, our heirs,
executors and administrators, firmly by these presents.

Sealed with our seals. Dated the day of
..... in the year of Our Lord one thousand, nine
hundred and

THE CONDITION of this obligation is such, that if the above-
named C.D., the A.B., late of,
deceased, who died on the day of
19..... and the intended administrator of all and singular the real and
personal estates and effects of the said deceased, do, when lawfully
called upon in that behalf, make or cause to be made a true and perfect
inventory of all and singular the real and personal estates and effects
of the said A.B., which have or shall come to his hands, possession, or
knowledge, or into the hands and possession of any other person for
C.D., and the same so made do exhibit or cause to be exhibited into the
Registry of the Supreme Court whenever required by law so to do, and
the same estates and effects and all other the real and personal estates
and effects of the said deceased at the time of his death, which at any
time after shall come into the hands or possession of the said C.D., or
into the hands of possession of any other person or persons for C.D.,
do well and truly administer according to law (that is to say), do pay
the debts which the said A.B. did owe at his decease, and further do
make or cause to be made a just and true account of his said
administration whenever required by law so to do, and all the rest
and residue of the said real and personal estates and effects do
deliver and pay unto such person or persons as shall be by law
entitled thereto, and if it shall hereafter appear that any last will and
testament was made by the said deceased and the executor or
executors, or other persons therein named, do exhibit the same into
the said Court, making request to have it allowed and approved
accordingly, if the said C.D. being thereunto required do render and
deliver the said Letters of Administration (approbation of such

testament being first had and made) in the said Court, then this obligation to be void and of none effect, or else to remain in full force and virtue.

C.D. (L.S.)
E.F. (L.S.)
G.H. (L.S.)

Signed, sealed and delivered by the within named C.D., E.F. and G.H. in the presence of

FORM XII
BOND BY A CREDITOR ADMINISTRATOR

IN THE SUPREME COURT, No.
PROBATE SIDE.

In the estate of A.B., deceased.

KNOW all men by these presents, that we, C.D., of E.F., of and G.H., of are jointly and severally bound unto The Honourable Judge of the Supreme Court of the Bahamas, in the sum of dollars of good and lawful money of the Bahamas, to be paid to the said Judge or to the Judge for the time being, for which payment well and truly to be made we bind ourselves and of us for the whole, our heirs, executors and administrators, firmly by these presents. Sealed with our seals.

Dated the day of, in the year of Our Lord one thousand, nine hundred and

THE CONDITION of this obligation is such, that if the above-named C.D., a creditor and the intended administrator of the estate of A.B., late of deceased, who died on the day of 19..... do, out of the real and personal estates and effects of the said deceased, which have or shall come to and remain in his hands, possession, or knowledge, or into the hands or possession of any other person for the said C.D. and so far as the said estates and effects shall thereto extend, pay and satisfy all and singular the just debts of the said deceased, in a due course of administration rateably and proportionately and according to the priority required by law, and not unduly preferring his own debt or the debts of any other of the creditors of the deceased by reason of his being administrator as aforesaid, then this obligation to be void and of none effect, or else to remain in full force and virtue.

C.D. (L.S.)
E.F. (L.S.)
G.H. (L.S.)

Signed, sealed and delivered by the within named C.D., E.F. and G.H. in the presence of

FORM XIII
WARRANT OF APPRAISEMENT

IN THE SUPREME COURT, No.
PROBATE SIDE.

In the estate of A.B., deceased.

THESE are to authorize and empower you, or any three or four of you whose names are hereunder written, to repair to all such parts or places within these Islands as you shall be directed unto by C.D., and all and singular the personal estate of A.B., late of in the Island of deceased, wheresoever any of the goods and chattels of the said deceased are or do remain with the said parts and places, which shall be shown unto you by the said C.D., there to view and appraise all and every the same and to cause the same to be returned under your hands, or any three or four of you, to the said on or before the day of now next ensuing.

GIVEN under my hand and seal at
New Providence, the day of in
the year of Our Lord one thousand nine hundred and

(L.S.).....

Judge.

To Messrs
or any three or four of them.

MEMORANDUM.

This day of 19.....,
..... personally appeared before me being of the
Appraisers appointed to appraise the personal estate of A.B., late
of in the Island of deceased,
who solemnly declared that they have made a just and true
inventory and appraisement of all and singular the personal estate
of the said A.B., which was produced by N.M., of the estate of the
said A.B., and that the return made by them and certified under
their hands is a true and perfect inventory and appraisement of
such personal estate.

Declared to before me the day and date lastly above written.

FORM XIV
CERTIFICATE OF AMOUNT OF DUTY PAYABLE

IN THE SUPREME COURT, No.
PROBATE SIDE.

In the estate of A.B., deceased.

I hereby certify that the amount payable to the Treasury in respect of the personal estate of late of in the Island of deceased, is the sum of \$.....

(*Seal of Court.*)

(*Signed.*).....
Registrar.

Ch. 370.

STAMP DUTIES
(See First Schedule to the Stamp Act.)

SCALE OF COURT FEES.⁶

(Column B. to apply in cases where the personal estate of the deceased is sworn under \$200, except where otherwise ordered. Column A. to apply in all other cases.)

	A.	B.
	\$c	\$c
For filing any document	0.20	0.10
For settling the notice advertising an application for Letters of Administration, etc.	0.20	0.10
For every oath, affidavit, declaration or affirmation	0.20	0.10
For preparing any document in the Registrar's Office	0.30	0.25
For every search	0.20	0.20
For every receipt given for a document lodged in the Registrar's Office	0.10	0.05
For every copy of any document of and under 6 folios of 72 words	0.80	0.80
For every additional folio	0.10	0.10
For attesting the execution of every bond	0.20	0.10
For entering a <i>caveat</i>	0.50	0.25
For every notice of a <i>caveat</i>	0.50	0.25

⁶ Note: The fees set out in this Scale of Court Fees were expressed to be subject to an increase of twenty-five per centum under the Supreme Court Probate (Increase of Court Fees) (Amendment) Rules. (G.N. 119/1953).

For every warrant of appraisalment	1.00	0.50
For every order or refusal of an order	1.00	0.50
For every grant of Probate or Letters of Administration when the estate and effects, for or in respect of which such Probate or Letters of Administration shall be granted, shall be under the value of \$200		0.50
Of the value of \$200 and under \$400	1.00	
Of the value of \$400 and under \$2000	2.00	
Of the value of \$2000 and over	4.00	
For every certificate issued by the Registrar	0.20	0.10

Where the estate of a deceased person is sworn under the value of \$40, and the real estate is of very small value, the Judge may remit any of the foregoing Court Fees or a part thereof.