

has in his or their hands, and has omitted to return in and as part of the inventory of the estate of the testator or intestate, or in and as part of the list of debts belonging to such estate, any property, stocks, claims, or evidence of claims; and if said courts shall finally adjudge and decree in favour of the allegations of said petition or bill of complaint, in whole, or in part, the said court shall order an additional inventory or list of debts, as the case may, to be returned by the executor or executors, administrator or administrators aforesaid; and an appraisement to be made accordingly, to comprehend the property, stocks, and claims, in respect of which the court shall so adjudge and decree, in manner as is prescribed in reference to inventories and lists of debts of the estates of deceased persons, and such additional inventory or list of debts, shall have the same effect to all intents and purposes, as any inventory or inventories, or list or lists of debts, of said estate theretofore returned, and the said court may enforce such order in reference to the said additional inventory and lists of debts, by attachment and imprisonment, and sequestration of property of the executor or executors, or administrator or administrators, complained against by said petition, and decreed to be in default or liable, and if such executor or executors, administrator or administrators, shall, either before or after such process of attachment, imprisonment, and sequestration, fail to comply with such order, his or their letters testamentary, or of administration, may be revoked, and the court may direct to be put in suit the administration or testamentary bond of such executor or executors, administrator or administrators; and the said property, stocks and claims, and all liability of such executor or executors, administrator or administrators, therofore ordered to be comprised in such additional inventory or list of debts, shall be decreed and taken to be within the condition of such bond; *Provided however*, that in the cases provided for in this and the preceding section, any party may appeal from the decree of the orphans court to the county court of the county in which the orphans court shall sit.

Proceedings directed.

Authority to enforce.

Revoke letters.

Suit, &c.

Appeal provided.

SEC. 14. *And be it enacted*, That a recess of any orphans court in this state, shall be deemed and taken to be not only such days as they may not hold a court, but also such parts or portions of a day, as they may not be in actual session; *And be it further enacted*, that all the acts heretofore done and performed by any of the registers of wills of the several counties of this state, during the periods in which such courts were not actually in session, shall be as valid and effectual, to all intents and purposes, as if such acts had been done and performed during the recess of such courts, any thing in any former laws contained to the contrary notwithstanding.

Recess of court construed.