

CHAP. 316. all liabilities of the principal or securities thereto, unless the contrary be distinctly proved.

Executors,
administrators,
&c. to
answer on
oath.

Provisoos.

New bonds
required of
executors, &c.

Provisoos.

SEC. 8. *And be it enacted,* That in all cases hereinbefore provided for, where returns and accounts, bonds, or other papers, are to be established, the said commissioner may, in his discretion, require the parties, executors, administrators, guardians, masters, and obligors, to answer on oath such interrogatories as shall be propounded to them; and in case the parties shall refuse to answer such interrogatories, the commissioner shall be, and he is hereby authorized, to assume the truth of the evidence offered, to establish their responsibility and the extent thereof, and the same privilege of examination, with like qualification and like effect, is hereby given to such executors, administrators, guardians, masters, and obligors, when the parties whom they seek to examine are of full age; *And provided,* that in no case shall any such answer or answers be conclusive against the parties requiring the same; *Provided further,* that no inference unfavorable to the party to whom interrogatories are propounded shall be made, when such party declares on oath his or her ignorance of the subject of such interrogatory.

SEC. 9. *And be it enacted,* That the said commissioner may require all executors, administrators, and guardians, on their appearing before him as hereinbefore recited, or upon their neglect or refusal to appear, to give new bonds in the same manner and according to the form and effect of the statutes now in force in this State, in regard to the bonds of executors, administrators, and guardians, and upon the neglect or refusal of them, or any of them so to do, the Orphans' court of said county of Dorchester, being advised thereof, and upon notice to such executor, administrator, or guardian, may revoke the letters testamentary, or of administration, or appointment of any such executor, administrator, or guardian, so neglecting or refusing, and a new executor, administrator, or guardian to appoint, and upon the failure or refusal of any former executor, administrator, or guardian to deliver up to his, her, or their successor or successors so appointed, all estate, property and effects, papers, accounts, and books in his, her, or their hands, the Orphans' court of said county shall order the bond of any such executor, administrator, or guardian, to be put in suit by his, her, or their successor or successors; *Provided, always,* that no former bond of any executor, administrator, or guardian, shall be released upon the granting of new letters testamentary, or of administration or appointment as aforesaid; *And provided,* that all such new bonds