

point some person to represent the infant or infants, and the said commissioner shall make report of his proceedings to the Orphans' court, who upon such notice as to it may be deemed reasonable, shall confirm, reject or modify the same.

CHAP. 316.

Sec. 6. *And be it enacted*, That in all cases where executors, administrators, guardians and masters shall refuse or neglect to render a full and complete account and return as aforesaid, after due notice given by the register of wills of said county as hereinbefore provided for, it shall be the duty of said commissioner upon the application of any person interested in the estate of any deceased persons, as well where such estate has been finally closed, as where it has not been so closed, or upon the application of any ward or apprentice to give ten days notice to such executor or administrator, or to the guardian of such ward or master, upon a day and at a time in such notice mentioned, to appear before said commissioner, and make return and account according to the provisions of this act, and in case such executor, administrator, guardian or master shall refuse or neglect to appear as aforesaid, and make such return, or render such account, the said commissioner shall proceed as is hereinbefore provided, to take and receive such testimony as shall be adduced before him, by any person interested as aforesaid so applying to him.

Upon refusal of executor, administrator, guardian or master to appear, commissioner shall proceed to take and receive testimony.

Sec. 7. *And be it enacted*, That whenever it shall appear from the evidence adduced before said commissioner, or upon the representation of the Orphans' court of said county, or a majority of the county commissioners or clerk of said county of Dorchester, or upon the representation of any ward, apprentice or any heir, legatee or distributee of any deceased person, that any person or persons are or may be liable or chargeable as principal or securities upon any testamentary, guardian or other bond or bonds, as well such as appertain to the offices of the register of wills, county commissioners, and clerk of said county, as others in cases where said bond or bonds have been lost or destroyed by the burning of said Court House, it shall be the duty of said commissioner to give at least ten days notice, or such other notice as he shall deem reasonable, as provided for in the sixth section of this act, to the person or persons so supposed to be liable or chargeable to appear before said commissioner, and the said commissioner shall then proceed in like manner as is heretofore provided for, in regard to returns and accounts of executors and others, to take evidence touching said bond or bonds; *Provided*, that in all such cases the penalty of any such bond or bonds shall be presumed to be sufficient to meet

Evidence in regard to persons liable as principal or security.

Proviso.