Answer to 2d Inte. He is not by Law obliged to answer, by reason he is an Attorney & Sollicitor for the said Ly M.H.

5 Int. Is Jn Pritchard possess'd of any, what Fortune either Real or Personal in ye Kingdom of Great Brittain, where situated, how & where invested?

Answer As Resp.t is Sollicitor for Jn Pritchard, he submits he is not obliged to set forth, what Fortune Jn P. is possess'd of, or how, or where situated?

6 Int. Did not you as Agent or Sollicitor for the Testator ye Hon. Jos: Edw. Gage, file a Bill in Chancery, & when, against Ld, Ly Tarnham, or some other Person, whom, relative to the Sum of 38000£ with Interest thereon at 5 p Ct p Ann: from 1720 due to the said Testator, from Henrietta Cantillon afterwards Ly Stafford, as Representative of Rich.d Cantillon Esq.r decd, & from her 2d Husband Ld Tarnham? does it not appear from some, what Proceedings in the said Suite, that at Xmas 1742, there was due to the said Testator, or that he claimed from Ld, Ly Tarnham, on account of said demand, Interest 70.000£, & does not such Debt with Interest from Xmas 1742 to the present time amount toupwards of 140,000£, or some other, what Sum?

Answer He was employd by the Decd to carry on a Suite in Chancery for the recovery of a large Demand, from the Representatives of Rich.d Cantillon Decd, but submits, he is not obliged to set forth, the State or Proceedings of the Cause, or the Quantum of the Demand —

7 Int. Are not the Proceedings in the afd Suite in Chancery ment.d in ye preceding Article, wholly abated by ye death of the Testator, & by whom, in whose name, must such Proceedings be revived, & in case Ly M.H. or P. or either, shall obtain a Probate of the afd Will, Codicils, will it not be wholly in the Option, of the Person obtaining Probate, to discontinue or revive said Suite, or to compound such Demand, for any Sum, they may think proper to accept.d

Answer — The afd Suite abated by the death of the Decd, & must be revived by his Representatives; he apprehends, if Ly My H. & JP. obtain Probate of ye Decds Will, they will have the same Power, which other Exors have, to discontinue, or revive the Suite, or compound the same; but how far the Powers of Exors extend in Cases of this nature, must be determined by Law, & not by this Deponents Opinion —

Dr Calvert — It is laid down in Clarke's Praxis, that, If a Party shall not answer fully, or refuse to answer at all, or say he is not bound to answer, the Ct will assign to hear thereon & if reasonable, will order further Answers —

The first Objection is peremptory — Your Process w.d oblige them to answer; they are as much in delay, as we are in not calling for our Answers, they w.d now be of no use, as they have examined the Witnesses on their Allon; Clarke says, a Witness must answer Interrogatories

if they are pertinentia ad Causam, but it is not necessary to be so strict, as that they shd apply immediately to the Cause in dispute, wch in the present Instance, is the Validity of the Will; Jn Interrog: may be put to answer any incidental Point; the reason for our desiring fuller Answers, is to found a Prayer, that you w.d not let Probate pass to these Exors, without their giving Security: To be sure where a Council or Sollicitor is entrusted in any Cause, he ought not to reveal the Secrets of that Cause, but he may speak of things which do not relate to it; An Answer to the Power of Compounding ye Suite ment.d in the 7th Article is very necessary; if they are poor, they may compound it for a trifle, & thereby prevent our recovering what we are entitled to under the Will — The State of the Decds Effects ought not to be kept Secret, it can be attended with no Advantage, may at any time be ascertained by calling for an Inventory —

D Burrell — The Opponents have insisted by way of Bar to our Application, that we have no right to object, till we have given in our Answers; An Observation wch can have very little weight with the Ct, when you recollect, Sir, that they have examined their Witnesses, published their Depons, & called on the Cause for Sentence, the View with wch Answers are called for, is to save Expence, by unnecessary Proof, as the Proof in this Case is made, our Answers now w.d be superfluous; had they objected early in the Cause, perhaps the Ct w.d have stopped Proceedings till we had given them in, but it is now too late to answer any Purpose; Our Information as to the Circumstances of the Exors, becomes very material, by reason of the Demand, on the Cantillon Estate, & will be the foundation of a motion, of the utmost Consequence to my Client, which he intends to make at a future Day, viz. that you not decree the Probate to Ly M.H & JP. till they have given proper Security — —

D Harris — I never remember the Answers of a Witness to Interrog.s objected to before; it may be proper, tho, I dont know it; the Question is wh.r the Interrog.s are answered fully, & if not, wh.r Ld Gage is entitled to object, he not hav: given in his Answers; which we cant compel him to do, by the usual Process, as he is a Member of Parl.t A man that will have Justice, must do Justice, the only method you have to enforce a Compliance with your Orders, is by denying him Justice till he gives in his Answers. I wont stop here, Clarke says Pertinent Answers must be given, but they must be given to pertinent Interrog.s What are these Parties, they are Exors, so immaterial wh.r Rich, or Poor: I never knew Exors give Security in this Court; Mandamus.s have issued whenever Security