§ 2303. Security for costs

1. In any proceeding in which an issue is raised by answer or objection by or on behalf of a non-domiciliary against the proponent of a will or a fiduciary or where the probate of a will has been tried before a jury which has disagreed, the court may require the person or persons raising such issue to give security for costs upon motion made by the proponent or fiduciary.

2. Security for costs may be required from any non-domiciliary who is the petitioner in any proceeding, provided the court finds that security is necessary for the protection of the estate.

3. If any party fails to comply with an order requiring him to give security for costs the court, upon the application of any interested party who might resort to the security if furnished, may make an order or decree dismissing the objections, answer or petition of the party in default.