

## An Act relating to Guardians and Orphans.

I. **W**HEREAS Disputes have arisen, and may arise, between Guardians and their Wards in Respect of their Right or Title to Lands, Tenements, or Hereditaments, the Possession whereof the said Guardians have obtained, or may obtain, in Right of their Wards: For Remedy whereof,

Preamble.

II. *BE it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same,* That when any Ward or Orphan shall attain his or her full Age, it shall and may be lawful for such Ward or Orphan to enter into all Lands, Tenements, or Hereditaments whatsoever, which the Guardian of such Orphan or Ward shall come to the Possession, or receive the Rents, Issues, or Profits, of, under, or by Colour of the Right or Title of such Orphan or Ward, or in Virtue or by Occasion of his or her Guardianship of such Orphan or Ward: And that in Case the Guardian aforesaid, obtaining the Possession, or coming into the Perception of the Rents, Issues, and Profits, in Manner aforesaid, of such Lands, Tenements, or Hereditaments, as aforesaid, shall refuse upon Demand of his Ward or Orphan, under his or her Care (upon the said Ward or Orphan's attaining his or her Age as aforesaid) to yield or give up quiet Possession of the same, such Ward or Orphan shall or may have, or maintain his or her Action, in which he or she shall recover Possession of the same, and treble Damages, and full Costs of Suit.

Orphans at full Age to enter into Lands, &c.

III. *AND be it further Enacted, by the Authority aforesaid,* That no Guardian, or his Heirs or Assigns, or any Person in Trust for, or for the Use of, him or them, shall at any Time recover any Lands, Tenements, or Hereditaments whatsoever, from or of his or her Ward or Orphan, under his or her Care, or the Heirs or Assigns of such Ward or Orphan, upon any Right or Title, which shall first wholly fall, come, accrue or vest, by Purchase, by or to, or in Trust, or for the Use of, such Guardian, or from any other Person than the said Ward or Orphan, or some Person claiming by, from or under, such Ward or Orphan, at any Time after Possession obtained by such Guardian, in Manner aforesaid, or his or her Perception of the Rents, Issues and Profits aforesaid, in Manner aforesaid. And in Case it shall appear, on the Trial of any Cause or Suit whatsoever, whether for the Recovery of Possession and Damages, or of Damages only, against such Ward or Orphan, or his or her Heirs or Assigns, that the Plaintiff shall found his or her Action or Suit, upon any Right or Title accruing to the Guardian of such Ward or Orphan by Purchase (except as before excepted) subsequent to the said Guardian's obtaining Possession of the Lands, Tenements, or Hereditaments aforesaid, in Manner aforesaid, or his or her Perception of the Rents, Issues and Profits thereof aforesaid, the said Plaintiff, whether he or she shall be or have been the Guardian of such Orphan or Ward, or shall be any other Person claiming in Trust for, or for the Use of, or by, from or under, such Guardian, shall be Nonsuit; any Law, Statute, Usage, or Custom, to the contrary in any wise, notwithstanding.

Guardians not to recover any Lands, &c. from their Wards, &c.

IV. THIS Act to continue for Three Years, and unto the End of the next Session of Assembly which shall happen after the Expiration of the said Three Years.

Continuation.

## An Act entituled, An Act to Repeal Part of an Act, entituled, *An Act Repealing Part of an Act laying an Imposition on Negroes and on several Sorts of Liquors imported; and also on Irish Servants, and to prevent the Importing too great a Number of Irish Papists into this Province; and to lay a Duty upon Rum, Spirits, Wine and Brandy, imported into this Province from Pennsylvania, or the Three Lower Counties on Delaware, called New-Castle, Kent and Sussex.*

I. **W**HEREAS it is found by Experience, that the Duty imposed by an Act, entituled, *An Act Repealing Part of an Act, entituled, An Act laying an Imposition on Negroes and several Sorts of Liquors imported; and also on Irish Servants, and to prevent the Importing too great a Number of Irish Papists into this Province, on Rum, Spirits, Wine and Brandy, into this Province by Land from the Province of Pennsylvania,* has not been collected; but that great Quantities of Rum, Spirits, Wine and Brandy,

Preamble.