

every such permitting & Suffering such Waste by such second husband dureing the Coverture such husband shall Account for the same and be lyable to be sued for the said Estate due to the said Orphan by such Orphan if att age or if under Age by his Guardians as well as the Security or together with his wife if Liveing and if the Security be insolvent then by himselfe & also for all Waste Comitted by his wife before Marriage if Sued dureing Coverture and Whereas Orphans of persons dying intestate by the good Provisions of this Law in Comitting them to the Care of the County Courts to inspect the good Condition of their Securities and Good Usage as aforesaid are by Experience found to be in better Condition in respect of both then the Orphans of Testators whose Executors hitherto rarely Given any Security and that the Security they have Given many times proved Insolvent Be it therefore Enacted by the Authority aforesaid that the Iudge for probat of Wills shall hereafter take good and Sufficient Security of all Executors and Administrators to the use of any Orphan or Orphans in any Will mentioned (and not Solely to their own use) for the true performance of Such Last Will and Testament According to the Law and intent of the Testator and the Justices of the County Courts shall at the Same time that they by Iury inquire of the Good usage and good Condition of the Security or other Orphans shall also inquiry the Same of these and if they find the Securitys like to be insolvent or the Orphans ill used to Transmitt the Same to the Iudge for probat of Wills for the time being to be relieved According to Law and the Testators Intent And for the more Speedy Administracōn of Justice to Orphans Legatees and others in his Ma^{ty}s Court of Probate of Wills and granting of Adm^ons which hath hitherto by the Tedious Methods used in Chancery before the Judges Sentence in the said Court Can take Effect the methods of England being att present not practicable here. Be it therefore Enacted by the Authority aforesaid That every person or persons that shall not after sentence Given in the said Court against him or them within fifteen days after such Sentence enter his Appeale with the said Iudge from such Sentence and within 15 days more procure an Examination thereof by a Court of Delegates nor in the mean time Comply with the Sentence of the said Iudge it being Sent to them under the hand and Seale of the Said Iudge nor give in Security to performe the Same and Oath made of the refusall thereof It shall and may be Lawfull for the said Iudge to issue forth of the said Office under his hand and Seale an Attachments against the bodys of such psons so Refuseing and him or them to Imprison untill he or they satisfy and Comply with the said Sentence or give in Good Security to do the Same

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