

Non Est and if the Mother shall appear in Court and offer sufficient Security for the Maintenance of her Child or if any person on her behalf shall in Court offer such sufficient Security then and in such case the Court shall not have power to bind out such Child Apprentice but shall take such Security for his or her Maintainance, And if any matter of Dispute Arises between Apprentice bound out by Virtue of this Act and their Masters or Mistresses it shall and may be Lawfull for the several and respective County Courts of this Province to hear and determine the same by way of Petition and to give Judgment and to award execution upon the same and that upon appeal or Writ of Error brought upon such Judgment from any County Court of this Province to the Provincial court or from the Provincial Court to the Governor and Council no such Judgment shall be reversed for want of Juditial Process or that the same was not Tryed by a Jury or any matter of Form either in the entry or giving Judgment

Liber H. S.
No. 1
[not to be Bound if Security be given for their maintenance]
[If Disputes arise, how to be determined]
p. 629

Provided that it appears by the Record that the Defendant was Legally Summoned and not Condemned unheard

And be it Further Enacted by the Authority Advice and Consent aforesaid that if the Father of any such apprentice shall return back into the County from whence he removed and shall make it appear to the Satisfaction of the County Court who shall have bound out his Child as aforesaid that he is able to keep his Child or Children from becoming a burthen to the County and to make the Master or Mistress of such Apprentice Sufficient Satisfaction for his or her time Care and trouble in Maintaining Educating and Teaching such Apprentice it shall and may be Lawfull and the said County Courts are hereby Directed and required to Issue a Summons for the Master or Mistress of such apprentice and on his or her appearing or refusing to appear they shall Value Estimate and determine what sum of Money or other Consideration shall be paid or made by the Father to the Master or Mistress of such Apprentice and on the payment or Tender in Court of such sum of Money or other Consideration the said County Courts are hereby impowered and required to discharge such Apprentice from any further Service

[After Binding, if the Father return, and give Security &c]

[The Court may Discharge, &c]

Provided Always And be it Further Enacted that no Act of Assembly of this Province shall be Construed to give any Court a power to bind any Female Child longer than such Female shall Arrive to the Age of Sixteen Years or day of Marriage which shall first happen nor shall any Female Child be bound out where any Kinsman or other relation will maintain and Educate her without Diminution of the Estate to which such Female Child may be intitled Any thing in this or any other Act to the Contrary Notwithstanding

[No Female to be bound longer than till 16, or Day of Marriage]

This Act to Continue Three Years and to the end of the next

[Continuance]