

bastard child; and it may be taken even from its mother, and placed beyond the reach of contamination from her vicious habits. But, as in thus separating parent and child, the only object is to protect the infant from the vices, the maltreatment, or the miscon-

the children of the testator, and to deprive her surety for the due execution of the will of the means to counter secure himself, he having on petition obtained an order from the County Court to possess himself of the estate of the testator in her hands. From all which the petitioner was truly apprehensive of his suffering greatly with respect to the profits of his real estate for which there was no security; and that his education would be totally neglected. Whereupon he prayed, that, as the said Elizabeth had disqualified herself to be his guardian, he might be removed from her custody, and have another guardian assigned for him, or have such other relief as might seem meet and agreeable to justice. To this petition there was subjoined an affidavit of the next friend of the truth of its allegations, made before a justice of the peace.

6th February, 1773.—EDEN, *Chancellor*.—*Ordered*, that the same Elizabeth Pratt appear in the High Court of Chancery on Monday, the twenty-second day of this instant, February, to shew cause, if she hath any, why the said William Pratt, with his estate, should not be removed from the custody and guardianship of the same Elizabeth, and some other guardian be assigned for him. And that the said Christopher C. Routh also appear at the same time and place, and bring with him the aforesaid William Pratt; and then and there produce testimony to prove and establish the several allegations of the said petition; and that a copy of the same petition and this order be served on the same Elizabeth Pratt five days next preceding the said twenty-second day of this instant, February.

Copies having been served as directed, the case was again brought before the court.

17th April, 1773.—EDEN, *Chancellor*.—Upon consideration of the said petition; and the same Elizabeth Pratt having been properly served with a copy of the said petition and the order thereon; and the said Christopher C. Routh being present with the said William Pratt, and having fully proved and established the several allegations of the said petition. It is hereby *Ordered* and *Decreed*, that the said William Pratt, with his estate, be removed from the custody and guardianship of the same Elizabeth Pratt, and that the custody, guardianship and care of the same William Pratt, with his estate, be and is hereby committed to the same Christopher Cross Routh, the said Christopher C. Routh giving security to account for the profits of the estate of the said William Pratt according to such orders as shall from time to time be made by the Chancellor of this province for the time being, and to the same William Pratt when he shall arrive at the age of twenty-one years, and his executors and administrators, deducting thereout what may be sufficient for the maintenance and education of the same William Pratt, without diminution of the principal; and conduct himself by and pursue and keep the orders and directions of the acts of assembly of this province relative to guardians who are either appointed by the respective county courts of this province, or therein chosen by orphans, where the same shall not be inconsistent with or repugnant to the orders from time to time of the Chancellor for the time being.

After which C. C. Routh gave bond as required, &c.—*Chancery Proceedings, lib. W. K. No. 1, fol. 134.*