

Seals attested by the Commissioner for administering the oath as aforesaid, in the County Court next ensuing after such view so had and made as aforesaid, & there to remain upon Record until the said Orphan or Heir come to age, which certificate so entered and remaining upon Record as aforesaid shall be sufficient Evidence in Law for the said Orphan or Orphans to recover double damages in an Action of waste, by them to be brought when at age for any waste, sale or destruction committed or done in any of the premises, other then what the persons have certified and thought necessary, with due respect had to all circumstances and matters aforesaid.

And be it further Enacted by the Authority aforesaid, that the Commissioners of each County Court within this Province by virtue of this Act shall have full power from time to time, and at all times hereafter upon presentment of the Orphan Jury, or other information given to them of any such sale, waste or destruction made, done or committed upon any Orphans real Estate by any such Guardian, by legal Warrant to cause the said Guardian to appear before them in the County Court, & if upon examination thereof the said information be sufficiently proved, that the said Guardian to answer the damages of such waste by him committed contrary to the Law, when Orphans come to age that then the said Commissioners do require the said Guardian to give sufficient Security to make satisfaction to the said Orphan or Orphans when at age as aforesaid, and upon refusal thereof, as the said Orphan or Orphans if at age, to choose his her or their Guardians shall elect, and if not, then such other as the Commissioners shall think meet being willing to take the same, who shall enjoy the said Land or Plantation, committing no waste and performing all such matters and things at his entry thereupon as is by this Act required until the said Orphan comes to age, and the said person so chosen, or by the Justice put in possession as aforesaid, shall in the name and to the use of such Orphan bring his Action of Waste against the former Guardian for the damages by him committed, and the Commissioners of each respective County Court be obliged to give the same in charge every June Court to the said Orphan Jury, under a penalty of five hundred pounds of tobacco each Justice, one half thereof to the Majesty towards the Support of Government, and the other half to the use of the said Orphan, to be recovered in the Provincial Court by Bill of Complaint or Information, wherein no Effoynt Protection or wager of Law to be allowed.

And be it Enacted by the Authority aforesaid, that the several and respective Deputy Commissioners which are and shall be in each several & respective County within this Province shall and are hereby sufficiently authorized and empowered to pass audit and allow all such accounts as shall come before them relating to dead Estates where they have granted Letters of administration or Letters testamentary not exceeding fifty pounds sterling, & to transmit the same to the Comptroller General, for which passing such accounts the said deputy Commissioner is to be allowed as a fee the sum of fifty pounds of tobacco and no more, and if such Deputy Commissioner as aforesaid shall exact, demand or receive of any person whatsoever more than is by this Law for executing such his Office is allow'd him, he shall be liable to such pains & penalties as are included in a certain Act for limiting the rate of fees within this Province, but in case it shall so happen that any Deputy Commissioner having any interest or claim in such Estates shall in the any objection or dispute or interest of any article or articles contain'd in the said accounts, the said Deputy Commissioners are forthwith to mark such articles and transmit the same with all papers thereunto belonging unto the Comptroller General, who the parties concerned are to appear & defend their interest.

And be it further Enacted by the Authority aforesaid, that it shall be at the election of the said Widow, if she refuse to take and receive the same to full satisfaction of her legal rights in both personal and real Estate, and be ther by intitled to ever form all claims to the same, or to refuse such Legacies and Devices as shall be made their legal part of the personal and real Estate as Widows whole Estates, be it made in this Province. And whereas many Orphans have been defrauded by the second marriage of such Widows, who having their Estates committed to the will or Right of administration, either by the one or both of them, the said Estates have been wasted and imbezled, and if the Woman die, the said Husband refuses to render an account of such Estate, alladging that he is