

charitable person will maintain them for the increase of the small Estate they have without any diminution of the principal which shall allways be delivered to the Orphans at the years hereafter in this Act limited & appointed, then such Kinsman Relation or other charitable Person is thereby obliged to perform the same as is by this Law before enjoyned & to be ascertain'd by the County Courts.

Provided always that no Orphan shall be put into the hands of any person of different Judgment in Religion to that of the deceas'd Parents of the said Orphans,

3. That all Cattle Horses & Sheep shall be return'd in kind by the guardians or other persons intrusted with Orphans Estates ( that is to say ) so many Cattle Horses & Sheep as were deliver'd to the Guardians or Trustees of the Orphans.

4. That all Money Plate Rings & Jewels be preserv'd & not used by the Guardians or Trustees and deliver'd in kind to the Orphans when they come to age, and that all household stuff & lumber be appraised in Money & not otherwise and the value thereof paid to the Orphans as aforesaid either in Money Sterling according to the apprailement or in Tobacco at the then price currant and in case any difference shall arise what shall be the price currant at the day of payment limited in the Bond taken the Justices of the County Court where the Orphans Estate doth lye shall then determin what shall be the price currant.

5. That every Male Orphan shall be of full age to receive his Estate from his Guardian at the age of twenty one Years and not before, but in case any person by his last Will & Testament doth appoint any person to be his Executor or Executrix that is full seventeen years of age that person so appointed shall be adjudged to be of sufficient age to be Executor or Executrix and if such Executor or Executrix be under the age of seventeen Years the administration shall then be committed to such other person as the Judge for Probat of Wills and granting Administrations shall approve of *durante Minortate* and so to the profit use and behoof of the Infant Executor or Executrix and not otherwise nor in any other manner, and forasmuch as the Right to Administration of the Goods of persons intestate may fall upon persons under the age of seventeen years, it is hereby declared that as they are within like Reason so are within like Law with Infant Executors.

6. That every Female Orphan shall be accounted of full age to receive her Estate at the age of sixteen years or day of marryage which shall first happen.

7. That all Negroes & other Slaves after the transmitting the Estate to the County Courts as aforesaid shall be prais'd to the Guardians or Trustees and be preserv'd by them and be employ'd to the said Guardians or Trustees use & benefit & the like number of Slaves and of like ability of Body be return'd to the said Orphans out of their increase ( if any be ) at their full age by this Law limited, and if any of the said Slaves be grown aged or otherwise impotent or be lamed and that the increase will not make the original Stock good as to the number & ability of body, that then they shall be again appraised by the said County Courts and the Guardians or Trustees shall pay to the Orphans so much Money or Tobacco as the County Courts shall adjudge the Orphans stocks of Negroes then to be of less value than they were at the time of their first appraisement & delivery of their said Slaves to the said Guardians or Trustees but in case no Guardian or other person will upon those terms accept of those Slaves, then it shall & may be lawful for the said severall & respective County Courts to put the said Slaves out upon other terms to any other person so that the said original Stock of Slaves be not sold nor any of their increase but in the best manner preserv'd for the Orphans till they come to their severall ages by this Act limited and appointed, to the intent they may have their first stock made good to them in number value and ability of body if it may be.

8. That all Servants for years be likewise return'd in kind to the Orphans at their full age ( that is to say ) the same number at the same age & sex and by like number of years to serve and of the same ability of body as near as can be estimated as the Servants were when received by the Guardian or Trustee. And to the end that after distribution made as aforesaid the account thereof may not be neglected to be transmitted to the severall & respective Justices of the County Courts as before is directed.

Be it Enacted by the Queens most Excellent Majesty by & with the Advice & Consent aforesaid, that if such Judge for Probat of Wills Commissary or Commissarys General shall not within two Months after distribution made as aforesaid transmit the account thereof as before by this Act is directed to the severall & respective Justices of the County Courts where the Estate shall be & remain he or they shall forfeit & pay to our Sovereign Lady the Queen her Heirs & Successors the Sum of ten thousand pounds of Tobacco of which one moiety for the support of Government of this Province, the other moiety to him or them that shall sue for the same by Action of Debt Bill Plaint