

# I N D E X.

## GUARDIANS.

ed in the County Court: Which Record shall be sufficient Evidence for the Orphans to recover double Damages in an Action of Waste, brought by them when at Age, for any Waste, Sale, &c. committed in the Premises, other than what the said Persons have certified and thought necessary. 1715, *ch. 39, §. 30.*

17. Guardians neglecting to perform what is hereby required, within the Time limited, shall forfeit 5000<sup>lb</sup> Tobacco: And any Magistrate or other Person of the County, refusing or neglecting to act herein, when thereunto demanded, shall forfeit 500<sup>lb</sup> Tobacco. One Half to the Use of the Orphan concerned, and the other Half to the Informer. *Ibid. §. 31.*

18. The Quit-Rents shall be considered and allowed in the Valuation aforesaid, and shall be paid by the Guardian, on Penalty of forfeiting to the Orphan, when at Age, fourfold the Value of the Arrears of Quit-Rent, neglected to be paid by him. *Ibid. §. 32.*

19. Guardians ought to render Account to their Wards, of the Surplus of the Profits of their Real Estates, beyond the necessary Expence of their Maintenance and Education, and to secure the same, as other Parts of Orphans Estates are to be secured by this Act. 1729, *ch. 24, §. 8.*

20. The County Courts, on Presentment of the Orphan Jury, (see *Orphans, 14.*) or other Information of Sale, Waste, &c. committed by any Guardian on any Orphan's Estate, are empowered to call such Guardian before them, &c. and if the Guardian, on Proof of the Waste, refuse to give Security for making Satisfaction to the Orphan when at Age, another Guardian may be chosen by the Ward if at Age to chuse, or if otherwise may be appointed by the Court, who shall bring his Action of Waste, in the Name of the Orphan, against the former Guardian. 1715, *ch. 39, §. 33. But see the following Article.*

21. As often as the County Court shall be informed, by the Grand Jury, or otherwise, of Waste done by any Guardian on an Orphan's Estate, they shall issue their Warrant for bringing such Guardian before them: And if such Information shall appear to be true, shall order the Sheriff to summon a Jury upon the Place, who shall enquire, upon Oath, into the Damage. And the Court shall oblige the Guardian to give Security, for double the Damages assessed by the Jury; or commit the Guardian 'til he comply with their Order therein. 1729, *ch. 24, §. 9.*

22. No Person, not being Guardian, or not having Licence from a Guardian, shall enter into, or occupy any Lands belonging to an Orphan (without Application to, and Leave from the County Court, for such Rents as they shall think reasonable to be paid to the Orphan;) on Penalty of Trespass, and paying treble Damages and full Costs to such Orphan: Recoverable by the Guardian during Minority, or the Orphan when at Age. *Ibid. §. 7.*

23. The County Courts, as often as they shall find it necessary, may oblige such Guardians as are chosen by Orphans, to give new and better Security. And upon their Refusal to do the same, may proceed according to the Directions of the Act of 1729, *ch. 24, §. 6. (See above, Art. 15.) 1752, ch. 3, §. 4.*

24. Guardians and Trustees Bonds shall be recorded in the County Court. 1715, *ch. 39, §. 22.*

25. Any Ward or Orphan, on attaining to full Age, may enter into all Lands, Tenements, &c. which the Guardian came to Possession or received the Rents, &c. of, under the Right or Title, or by Occasion of the Guardianship of such Orphan. And in Case the Guardian refuse, on Demand, to yield up quiet Possession, the Ward shall have Action and recover Possession, with treble Damages and full Costs. 1758, *ch. 4, §. 2.*

26. No Guardian, or his Heirs, Assigns, &c. shall at any Time recover Lands, Tenements, &c. from his Ward, or the Heirs or Assigns of such Ward, upon any Right which shall first wholly accrue by Purchase by to or in Trust, or for the Use of such Guar-

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dian, from any other Person than the said Ward; or some Person claiming under such Ward, at any Time after Possession obtained by such Guardian, or his Perception of the Rents, &c. in Manner aforesaid. And if it appear, on Suit brought against such Ward, &c. for Recovery of Possession or Damages, that the Plaintiff shall found his Action upon any Right accruing to such Guardian, by Purchase (except as before excepted) subsequent to the said Guardian's obtaining Possession, or Perception of the Rents, &c. of such Lands, &c. in Manner aforesaid, such Plaintiff shall be Non-suit. *Ibid. §. 3.*

27. In what Case the Sureties to Bonds of Guardians shall obtain Counter-Security, or a Delivery of the Effects, &c. See *Administrators, 23-26.*

## GUNS.

1. A Gun to be delivered to every Man-Servant at the Expiration of his Servitude. See *Freedom Dues, 1.*

2. For the Punishment of Negroes carrying Guns. See *Negroes, 7.*

3. No Person to hunt with Guns, &c. within any Inclosure, without Leave, &c. See *Inclosures, 1.*

4. Persons convicted of Thieving, Hog-stealing, &c. not to carry a Gun on any seated Plantation, without Leave, &c. See *Hog Stealing, 3.*

5. Guns may not be bought of Indians for Liquor. See *Indians, 4.*

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**H**ARBOURERS of Persons employed in Iron-Works. See *Iron-Works, 8.*  
HARBOURERS of Sailors. See *Sailors.*

## HARBOURERS OF SERVANTS AND SLAVES.

1. Persons wittingly or willingly entertaining any Servants or Slaves, unlawfully absenting themselves from their Masters, &c. or permitting them to be about their Houses or Plantations, for One Hour, or longer, shall forfeit 100<sup>lb</sup> Tobacco for each Hour such Servant or Slave shall be so entertained or permitted to be about their Houses or Plantations; to be recovered in a summary Way before a single Magistrate, if the Penalty do not exceed 600<sup>lb</sup> Tobacco; but, if above 600<sup>lb</sup> Tobacco, to be recovered in the County Court. 1748, *ch. 19, §. 2.*

2. One Half of the above Penalty to be applied to the Use of the County School, the other Half to the Party grieved, if such Party prosecute within Three Months; otherwise to the Person informing or suing for the same; provided such Suit be commenced within Twelve Months after the Offence committed. *Ibid.*

3. Offenders, unable to pay or give Security for the Penalty, may be punished by Whipping, not exceeding 39 Stripes; and shall give Security for good Behaviour for Six Months. *Ibid. §. 3.*

4. Servants or Slaves harbouring or entertaining other Servants or Slaves (unlawfully absent) for one Hour or more, are punishable, on Complaint to any single Magistrate, by whipping, not exceeding Thirty-nine Stripes. *Ibid. §. 4.*

5. Free Negroes or Mulattoes harbouring or entertaining any such Servant or Slave, shall forfeit for every Offence 1000<sup>lb</sup> Tobacco, to be recovered in the County Court; one Half to the Use of the Free Schools, the other Half to the Party grieved; and if they cannot pay the Penalty, the Justices before whom the Matter is tried, may order Satisfaction by Servitude or otherwise. 1715, *ch. 44, §. 4.*

## HARBOURS.

1. No Ballast to be taken, unladen, or cast out of any Ship or Vessel, but in the Day Time between the Rising and Setting of the Sun, within the following Limits; nor unladen out of any Ship, &c. in Chesapeake