

Person intrusted by the County Courts ; but the said Orphans shall be maintained and educated by the Interest of their Estates, and the Increase of their Stocks, so far forth as their said Interest and Increase will extend unto ; but if the Estate be so small, that the Interest or Increase thereof will not extend to a free Education and Maintenance of such Orphans, then such Orphans shall be bound Apprentices to Mariners, or some Handicraft Trade, or other Person, at the Discretion of the County Courts, until they arrive to the Age of Twenty one Years, except some Kinsman or Relation, or some other charitable Person, will maintain and educate them for the Increase of the small Estate they have, without any Diminution of the Principal, which shall always be delivered to the Orphans at the Years hereafter in this Act limited and appointed ; then such Kinsman, Relation, or other charitable Person, is thereby obliged to perform what is by this Law before enjoined, and to be ascertained by the County Courts. Provided always, That where any Person being a Protestant, shall die, and leave a Widow and Children, and such Widow shall intermarry with any Person of the Romish Communion, or be herself of that Opinion and Profession, it shall and may be lawful for His Majesty's Governor and Council within this Province, upon Application to them made, to remove such Child or Children out of the Custody of such Parents, and place them where they may be securely educated in the Protestant Religion, and to order such reasonable Maintenance for such Child or Children so removed out of the Estate or Estates belonging to such Child or Children in whose Hands soever, having Respect that only the Yearly Profits and Increase thereof be applied thereto, and such Childrens Estates be not diminished thereby.

*Thirdly,* That all Cattle, Horses, and Sheep, shall be returned in kind by the Guardians, or other Persons intrusted with Orphans Estates ; (that is to say) so many Cattle, Horses, and Sheep, as were delivered to the Guardians or Trustees of the Orphans, and as near as can be of like Value.

*Fourthly,* That all Money, Plate, Rings, and Jewels, be preserved, and not used by the Guardians or Trustees, and delivered to the Orphans when they come to Age ; and that all Household-Stuff and Lumber be appraised in Money, and not otherwise, and the Value thereof paid to the Orphans, as aforesaid, either in Money, according to the Appraisement, or in Tobacco, at the then Price Current ; and in case any Difference shall arise what shall be the Price Current at the Day of Payment limited in the Bond taken, the Justices of the County Court where the Orphan's Estate doth lie, shall then determine what shall be the Price Current.

*Fifthly,* 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 and Testament 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 proper Person as the Judge for Probate of Wills, and granting Administrations, shall legally approve of, *durante Minoritate*, 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 with like Reason, so they are within like Law with Infant Executors.

*Sixthly,*