

Hands and Seals, attested by the Commissioner so administering the Oaths as aforesaid, to the County-court next ensuing after such Review so had and made as aforesaid, and then to remain upon Record until the said Orphan or Heir come to Age; which Certificate so entred 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 than what the Persons have certified and thought necessary, with due Respect had to all Circumstances and Matters aforesaid.

Evidence of Waste.

And to the End, as well the Guardian and Guardians aforesaid, as the other Persons mentioned and appointed to value the Land as aforesaid, may not fail to do their Duty,

Guardians and Valuers of Land, obliged to their Duty.

Be it Enacted, by the Authority aforesaid, by and with the Advice and Consent aforesaid, That every Guardian or Guardians of any Orphan or Orphans, that shall for the Future neglect, within One Month after entring upon his or their Guardianship aforesaid, to do and perform what is by this Act required, shall forfeit the Sum of Five Thousand Pounds of Tobacco; and any Commissioner or Justice of the Peace, or other Person or Persons in the said County living, that shall refuse or neglect what is by this Act required of them to do and perform, being thereunto demanded, shall forfeit the Sum of Five Hundred Pounds of Tobacco each; One Half thereof to our Sovereign Lord the King, His Heirs and Successors, for the Use of the Orphan or Orphans therein concerned, the other Half to the Informer, or him or them that shall sue for the same; to be recovered in any Court of Record in this Province, of all and every such Person that shall so as aforesaid, refuse or neglect to perform what is by this Act required.

Penalty on Guardian, and on Justice and Valuer,

And whereas it has been doubted whether in valuing or estimating the said Orphans Lands and Plantations, in this Act mention'd, the Quit-Rents to the Lord of the same, are not to be considered and allowed for, as well as Reparations and other Things in this Act mentioned,

Quit-Rents to be considered in Valuing Lands.

It is hereby further Enacted and Declared, that the said Quit-Rents ought, and are hereby declared and enjoyned to be considered, deducted and allowed upon the Yearly Value of the said Land, and the Guardian pay the same. And that any Guardian aforesaid, that shall neglect, after such Allowance made of the same, in the Value of the said Land, and hath not paid such Quit-Rents as aforesaid, shall forfeit to the Orphan, when at Age, Four-fold the Value of such Rents that he left in Arrears at the full Age of such Orphan; to be recovered by Action of Debt, Bill, Plaint or Infarmation, wherein no Essoyn, Protection or Wager of Law to be allowed.

Penalty on Guardian, for Non-payment of them.

And be it further Enacted, by the Authority aforesaid, by and with the Advice and Consent aforesaid, That the Commissioners of each County-Court within this Province, by Virtue of this Act, shall have Power, from Time to Time, and at all Times hereafter, upon Presentment, of the Orphan, Jury, or other Information given to them, of such Sale, Waste or Destruction made, done, or committed upon any Orphan's Real Estate, by any such Guardian, to issue their Warrant, and cause such Guardian to appear before them in the County-Court; and if upon Examination thereof, the said Information be sufficiently proved, that the said Guardian shall answer the Damage of such

How Wasts to be enquir'd of, and punished.

Waste