

41, 46—general court, 3—governor, 5—inspectors, 3, 4, 23—judge of the land office for the eastern shore, 1—judges, 3—justices of the peace, 4—land office, 3—legislature, 13—levies, 2—levy courts, 2—lost certificates, 1, 3—militia, 7, 8, 12, 32—oath of office, 3, 5, 7, 12—office, &c. 3—orphans' courts, 28, 30—public creditors, 6—process criminal, 1, 2—register of wills, 6—sheriffs, 28—tobacco inspected, 2—treasurers, 1—widows and children of deceased officers.

## G U A R D I A N S.

1. **O**RPHANS entitled to any part of an intestate's estate after distribution made, and balance returned by the commissary to the county court (*but see below*, art. 5) shall be called into court, then and there to chuse their guardians, into whose hands their estates shall be committed—1715, c. 39, § 7.

2. The guardians so chosen shall, upon their acceptance of the guardianship, be obliged by the county court to give bond, with two sufficient sureties, in the name of the orphans, for securing and delivering the estates to the said orphans, their executors or administrators, when thereunto lawfully called, according to the directions of the act (of 1715, c. 39) for the better administration of justice in testamentary affairs—1752, c. 3, § 2.

3. On such security given, the court shall make an order for delivering such orphan's estate into the hands of such guardian; and no executor, administrator, or former guardian, shall pay such orphan's estate into the hands of the guardian so chosen, till he hath entered into such bond, and shall have delivered unto such executor, &c. a copy of such order, signed by the clerk of the court—*ibid* § 3.

4. If such orphan's be not at age to chuse guardians, then shall the county court appoint fit persons, to whom such orphans and their estates shall be committed, taking bond, with two sufficient sureties, for securing and delivering the same to the orphans or their guardians (when thereunto unlawfully called) according to the directions of this act—1715, c. 39, § 7.

5. To prevent the waste which may be committed by executors, administrators or others, intermarrying with widows, and obtaining possession of the real estates of orphans, before any balance be transmitted from the commissary's office (*see above*, art. 1,) in which case no guardian can be appointed by the county court under any law of this province: the county courts, on application, shall permit such orphans, if above 14 years