

or allowing any of the matters contained in the said Petition to be taken into consideration as they are therein alleged and seeing to himself that Benefit of all the several Statutes hereafter mentioned and all the right he has as a British Subject to defend himself in any suit that may be brought against him by the said Philip Lee which right he used and used he is entitled unto and humbly insists upon and in answer to the said Representation begs leave to shew to your Honours that the Bill of Assembly in the Representation mentioned contains nothing more that can be pretended to be applicable to the said Philip Lee's Purpose but the following Proviso

Provided always that where any Person being a Protestant that 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 such Person shall be found may be lawful for his Majesty's Government and Council within this Province upon Application to them made to remove such Child or Children out of the Custody of such Person and place them where they may be securely Educated in the Protestant Religion and to Order such reasonable Maintenance for such Child or Children as whose hands over having respect that only the yearly profits and Increase thereof be applied thereto and such Children's Estates be not Diminished thereby

That Henry Sewall the Testator and his wife were known to have been of the Romish Communion wherein the said Henry always lived and Actually Died and that the sum which the said Philip Lee Claims of this