

recovery 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 said persons have certified and thought
necessary with due respect had to all circumstances and matters aforesaid
and be it further enacted by the authority aforesaid, that the Commissioners
of each County Court within this Province by virtue of this Act shall
and full power from time to time and at all times hereafter upon
reportment by the grand Jury or any other Information to them given
of any such Waste Sale or destruction made done or committed upon any
Orphan's Real Estate by any such Guardian by legal Warrant to
compel the said Guardian to appear before them in the said County Court
and if upon Examination thereof the said Information be sufficiently
proved and that the said Guardian shall not be of sufficient ability
to answer the damages of such waste by him committed contrary to this
Law when the Orphan comes to age that then the said Commissioners
do require the said Guardian to give sufficient Security to make
satisfaction to the said Orphan or Orphans when at age as aforesaid
and upon refusal thereof to remove such Guardian from off the said
plantation or lands and to put such other into possession thereof as
the said Orphan or Orphans if at age to ~~choose~~ choose his or their
Guardian shall elect, and if not; then such other as the said Commission-
ers shall think most being willing to take the same who shall enjoy the said
land or plantations (committing no waste and performing all such
matters and things at his entry thereupon as by this Act is required)
until the said Orphan comes to age and the said person so chosen or by
the said Justices put in possession as aforesaid shall in the name and to
the use of the said Orphan bring this Action of Waste against the former
Guardian for the Damages by him committed. - And be it further
enacted that all the matters and things contained in the Act for the
recovery of Orphan's personal estates and in this Law for
recovery of real Estates be by the Commissioners of every County
Court in this Province so often as the grand Jury shall there be
summoned give the said charge to them and shall also every
June