

his or her Maintenance, Support and Education, as an Apprentice to some Mariner, Handicraft-Tradesman, or other Person, (being a Protestant) at the Discretion of the said Justices, until such Orphan Child, if a Male, shall arrive to Twenty-one Years of Age; or, if a Female, to Sixteen Years of Age, or Day of Marriage, which shall first happen, in the same Manner, and upon and under the same Terms, Conditions and Restrictions, as the said County Courts are impowered by any Act of Assembly, in such Case made and provided, to bind out Orphans as Apprentices, where the Balances of their Fathers Estates are transmitted to such Courts.

C H A P.
XXIII.

'til 21, or 16
Years of Age.

III. And be it further Enacted, That the said Justices shall and may, upon any Application to them, in their respective County Courts aforesaid, for any Allowance for the Support or Maintenance of any Child whose Father hath departed from this Province, or removed from the County where he resided, without leaving a Sufficiency for the Support of his Children, bind out such Child as an Apprentice in the Manner aforesaid, to any such Person, for the Time, and under the Terms, Conditions, and Restrictions aforesaid.

Also Chil-
dren left by
their Father,
&c.

IV. And, to the End that Apprentices bound out by virtue of this Act, may be taught their Trades, and may not be rigorously used, or turn'd to common Labour, at the Ax or Hoe, Be it Enacted, by the Authority aforesaid, by and with the Advice and Consent aforesaid, That the several and respective County Courts, and Orphan Juries, shall, and they are hereby required to give in Charge, Hear, Judge, Order, Determine, and enquire of and concerning Apprentices bound out by virtue of this Act, and their Masters, in the same Manner as they are impowered and required to do by any Act of Assembly heretofore made, and now in Force.

Orphan Ju-
ries to enquire
a: to their U-
sage.

V. And be it further Enacted, That no Child, having a Mother living in the same County, shall be bound out Apprentice by virtue of this or any other Act of Assembly of this Province, unless such Mother shall be, at the Time of such Binding out her Child Apprentice, present in Court, or hath been summoned to attend such Court on such Occasion, or a Summons for that Purpose against her, hath been return'd *Non Est*. And if the Mother shall appear in Court, and offer sufficient Security for the Maintenance of her Child, or if any Person, on her Behalf, shall, in Court, offer such sufficient Security, then, and in such Case, the Court shall not have Power to bind out such Child Apprentice, but shall take such Security for his or her Maintenance. And if any Matter of Dispute arises between Apprentices bound out by virtue of this Act, and their Masters or Mistresses, it shall and may be lawful for the several and respective County Courts of this Province, to hear and determine the same by Way of Petition, and to give Judgment, and to award Execution upon the same; and that upon Appeal or Writ of Error brought upon such Judgment, from any County Court of this Province to the Provincial Court, or from the Provincial Court to the Governor and Council, no such Judgment shall be Reversed for want of Judicial Process, or that the same was not tried by a Jury, or any Matter of Form either in the Entry, or giving Judgment: Provided, That it appears by the Record that the Defendant was legally summoned, and not condemned unheard.

The Mother,
if Living, to
be summon'd.

Not to be
Bound, if Se-
curity be gi-
ven for their
Maintenance.

If Disputes a-
rise, how to
be determi-
ned.

VI. And be it further Enacted, by the Authority, Advice, and Consent aforesaid, That if the Father of any such Apprentice shall return back into the County from whence he removed, and shall make it appear to the Satisfaction of the County Court, who shall have bound out his Child as aforesaid, that he is able to keep his Child or Children from becoming a Burthen to the County, and to make the Master or Mistress of such Apprentice, sufficient Satis-
faction

After Bind-
ing, if the
Father return,
and give Se-
curity, &c.