



An Act directing the *Guardianship* of *Minors*.

E it enacted by His Excellency the Governor, Council and Assembly, and by the Authority of the same it is hereby enacted, That, from and after the Publication hereof, where any Person shall have Children under the Age of *Twenty One Years*, and not married at the Time of his Death, it shall be lawful for the Father of such Children, whether born at the Time of the Decease of the Father, or at that Time in *Ventre sa mere*, or whether such Father be within the Age of *Twenty One Years*, or of full Age, by Deed executed, or by his last Will and Testament in Writing in the Presence of two credible Witnesses, to dispose of the Custody and Tuition of such Children, for such Time, as they shall respectively remain under the Age of *Twenty One Years* or any lesser Time, to any Persons in Possession, or Remainder, other than Persons not *Protestants*. And such Disposition of the Custody of such Children shall be good, against all Persons claiming the Custody and Tuition of such Children; and such Person, to whom the Custody of such Children shall be disposed or devised, may maintain an Action of *Ravishment of Ward*, or *Trespass*, against any Person who shall wrongfully take away or detain such Child, and shall recover Damages in the said Action, for the Use of such Children.

Cap. 34

And be it further enacted, That any Persons, to whom the Custody of such Children shall be so disposed or devised, may take into their Custody, to the Use of such Children, the Profits of all *Lands, Tenements, or Hereditaments*, and also the Management of the Goods and Personal Estate of such Children, till their respective Age of *Twenty One Years*, or any lesser Time, according to such Disposition, and may bring such Actions in Relation thereto, as such Children themselves might do if arrived at full Age.

And be it further enacted, That whensoever any Person, not being a *Protestant*, shall die seized of any such Estate in *Lands, Tenements, or Hereditaments*, for which his Heirs should be in *Ward*, his Heirs being under the Age of *Twenty One Years* at the Time of the Death of his Ancestor, it shall be lawful for the Governor, Lieutenant Governor, or Commander in chief of the Province for the Time being, after due Proof to him of the Death of such Person not being a *Protestant*, and of his Heir