

C H A P.
XLIII.

ful art or trade, and in all cases to supply comfortable and suitable cloathing and maintenance; and the said justices shall have the like power to bind out the children of persons so extremely poor, that such children suffer want, and also the children of beggars or pensioners, and also illegitimate children, and the children of persons out of this state, where sufficient sustenance is not afforded, in like manner, and on the like terms; provided, where any child shall be bound out, summons shall issue for the mother, if living and in the county, and if she appears, her inclination, as far as is reasonable, shall be consulted as to the choice of the master or mistress to whom the child shall be bound; and where female children are bound out to married men, as the qualities of their wives make a leading motive for such preference, and the care of the wives benefit chiefly the girls, such apprentice girls shall serve out the residue of their time with the widow on the death of the husband, and the widow shall make good the terms on the part of the master, unless she carries the apprentice to court in a reasonable time, and delivers her up; and any one or two justices may take children who are destitute, and suffer for the want of support, or the children of beggars, and place them in the care of proper persons till their next county court, when they shall be put out apprentices as aforesaid; provided always, that where any child shall be before the court for the purpose of being bound out, that if any relation, or other person, will give good and sufficient security in fifty pounds, for the due and comfortable maintenance of such child, and providing sufficient and proper cloathing for him or her till of age, as aforesaid, and also for the reasonable schooling of such child, the court shall not proceed to bind such child apprentice.

Father may
bind his
child, &c.

III. **And be it enacted,** That any father may bind out his child apprentice on reasonable terms, for any time not longer than till the full age of such child, that is to say, boys to twenty-one, and girls to sixteen years of age.

Justices, on
petition, may
inquire, &c.

IV. **And,** whereas apprentices contracts are often drawn very inartificially, and sometimes rest only in parole, and notwithstanding the proper execution thereof on the part of the masters, greatly to the benefit of the apprentices, such youths are persuaded away from service at a time of life they most need government, and before they are perfected in the art of their trades; and lately many apprentices have run away before the time of their apprenticeship hath expired, much to the injury of masters, and to the great discouragement of taking and instructing others; **Be it enacted,** That the justices of the county courts, on the petition of any master, or apprentice legally bound to serve, or any apprentice *de facto*, may inquire into, hear and determine, the contract or agreement made by or with the court, the apprentice, his father, mother, or any other near relation, and may discharge such apprentice for the ill behaviour of his master, or because of imposition or the hardness and unreasonableness of the terms, or may discharge the master from his contract because of an incorrigible temper, or for a cause of ill behaviour of the apprentice, or in case the contract, whether defective or not, hath been partly executed, may award and compel the terms, or any part of the terms, of the master or apprentice, to be performed as justice and equity may require; and the master of any apprentice *de facto* may detain him in service till discharged by the county court, and may maintain any such action against strangers as if such apprentice had been legally bound to serve; and if any apprentice legally bound to serve, or apprentice *de facto*, shall run away from his master, any county court may, in the time for which he is to serve, or at any time within three years thereafter, award such compensation to be made by such apprentice to his master, by service or payment of money, as justice and equity may require, and may enforce payment of the money awarded by attachment of contempt against his person, or *fieri facias* against his goods.

Apprentices
not to be car-
ried out of the
state, &c.

V. **And be it enacted,** That no master shall carry his apprentice bound within this state out of the same; and any justice of the peace, on being credibly informed, that any master designs to carry or remove his apprentice out of this state, may require and take a recognizance of such master, with reasonable and proper security, to be forfeited in case he shall directly or indirectly carry or remove such apprentice out of this state, and on such master's refusal to enter into
recognizance