

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

THE  
REVISED STATUTES

OF THE  
STATE OF MAINE,

PASSED JANUARY 25, 1871;

TO WHICH ARE PREFIXED  
THE CONSTITUTIONS

OF THE  
UNITED STATES AND OF THE STATE OF MAINE:

WITH AN APPENDIX.

---

BY AUTHORITY OF THE LEGISLATURE.



PORTLAND:  
PUBLISHED BY BAILEY & NOYES.

FUGITIVES FROM JUSTICE—*Continued.*

- Court*, believing complaint to be true, case may be adjourned to obtain executive warrant, § 8, 901.  
 may allow bail, if offence is bailable, § 8, 901,  
 may discharge at adjournment, if executive warrant is not obtained, § 9, 901.  
*Complainant*, in such case, to be answerable for costs and for support of accused in prison, § 10, 901.

## FUNDS,

- for schools, towns to raise, § 5, 184, 185.  
 state school, provisions relating to, § 91, 203; § 92, 204.  
 of savings banks, how invested, § 91, 421.  
 reserved, to be kept by savings institutions, § 93, 421.  
 of savings banks, penalty if officers appropriate, § 96, 421.  
 arising from sale of ministerial and school lands, 212, 213.

## FUNERAL,

- persons going to or from, pass toll bridges free, § 1, 442.  
 expenses, to be first paid in insolvent estates, § 1, 528.

## FUR BEARING ANIMALS,

- destruction of, when prohibited, § 15, 325.

## FURNACES,

- to be removed or repaired, by order of municipal officers, § 17, 292.

## FURNITURE,

- household, exempt from taxation not exceeding \$200. in value, § 6, 129.  
 exempt from attachment, § 59, 626.  
 of churches, exempt from taxation, § 6, 130.  
 insurance on, valid for the whole, though owned partly by husband and partly by wife, § 10, 431.

## GALLON,

- standard measure to be kept by treasurer of state, § 2, 385.

## GAMBLING, CHAP. 125, 855-856.

- Gambling*, punishment for keeping a house for, § 1, 855.  
 for allowing, in house or shop, § 1, 855.  
 penalty for, and for betting on person gambling, § 2, 855.  
 fine for, to whose use recoverable, § 3, 855.  
 penalty for winning more than three dollars at one sitting, § 3, 855.  
 money lost by, may be recovered of winner within three months, § 4, 856.  
 loser not prosecuting within said time, other person may prosecute therefor, § 4, 856.  
 testimony of parties in such actions, § 5, 856.  
*Search warrants*, for searching for implements of gambling, by whom to be issued, how executed, § 7, 856.  
*Securities*, given for gambling debts, void, § 6, 856.

## GAMBLING,

- houses resorted to, for, deemed nuisances, § 1, 230.  
 prohibited, in licensed houses of innholders and victualers, § 10, 298.  
 implements used for, may be destroyed by order of court, § 8, 856.

## GAMESTERS,

- guardians may be appointed for, § 4, 533.

## GARDENS,

- treble damages recoverable for trespasses upon, § 11, 733.  
 willful trespasses upon, punishable by fine and imprisonment, § 9, 863.

## GATES,

- in town or private ways, how removed, § 73, 253.  
 upon application of municipal officers, county commissioners to order railroad companies to erect, at crossings, § 18, 452.  
 penalty for neglect, and liability for damages, § 19, 452.  
 penalty for neglect to open and close, § 19, 452.  
 penalty for throwing down or opening, § 7, 862.

## GENERAL ISSUE,

- may be pleaded in all cases, § 18, 641.  
 to be pleaded in actions before trial justices, § 14, 661.

## GOLD,

- standard balance for, to be kept by state sealer at the state house, § 1, 335.
- and silver, capital stock of banks to be paid in, § 12, 405.
- amount of, to be kept in vaults by banks, § 22, 407.
- bills of banks to be redeemed at bank in, § 27, 407.
- exception, § 28, 407.
- penalty, damages and tender of damages, §§ 29, 30, 408.
- how weighed in banks, § 34, 408.
- how taken on execution, § 2, 664.
- penalty for counterfeiting, for export, § 5, 336.

## GOOD BEHAVIOR,

- security for, when required, and how taken, §§ 1-12, 363-370.

## GOODS,

- taxation of, § 5, 129.
- exemption of, from taxation, § 6, 129.
- shipwrecked, 337. See *Wrecks*.
- attachment of, § 22, 619.
- perishable or kept at great expense, how sold, when attached, 621, 622.
- exemption of, from attachment, § 59, 626.
- and estate of deceased debtor, liable for payment on joint contract as on several, § 23, 642.
- taken on execution, how sold, § 3, 665.
- lien on, of guests and boarders, § 38, 718.
- replevin of, 735. See *Replevin*.
- lost, provision relating to, §§ 10-14, 741, 742.
- contract for sale of, for \$30 or more, not valid, unless in writing, § 4, 737.
- contracts, that when sold and delivered and note given they shall remain the property of payee, void, unless so stated in note, and note, if for more than thirty dollars, recorded, § 5, 787.
- penalty for receiving, or aiding in concealing, stolen goods, § 9, 333.
- penalty for obtaining, by false pretences, § 1, 857.

## GOVERNOR AND COUNCIL,

- Accounts*, against the state, to be audited by, § 14, 64.
- contingent fund of state treasurer to be audited by, § 59, 72.
- of land agent, to be audited by, § 48, 121.
- of Indian agents, to be audited by, § 33, 177.
- of expenditures for county institutes, to be audited by, § 82, 202.
- for normal schools, to be audited by, § 87, 203.
- of insurance commissioner, to be settled by, § 44, 436.
- Acts, public*, written notice of approval of, by governor, to be given by secretary of state, to presiding officer of senate and house, § 2, 57.
- Administrators*, public, may be appointed by, § 25, 510.
- Assayers*, of ores and metals, to be appointed by, 339.
- Attorney general*, to make annual report to, § 26, 537.
- expenses while absent from home on official business, to be audited by, § 1, 307.
- Banks*, cashiers of, to make returns to, when required, § 48, 411.
- examiner of, to be appointed by, § 54, 412.
- to make report to, annually, § 55, 413.
- Board of agriculture*, five members to be appointed by, § 1, 478.
- to appoint, from highest candidates, a member of said board, upon failure of societies in any county to make choice, § 2, 478.
- vacancies in office of secretary, may be filled by, § 4, 478.
- to draw warrants on treasurer of state, for salaries and expenses of said board, § 6, 479.
- Bond*, public officers may be required by, to give new, § 60, 72; § 87, 75.
- of superintendent of public buildings, to be approved by, § 20, 66.
- of secretary of state, § 32, 67.
- of treasurer of state, § 44, 69; § 45, 70.
- of land agent, § 1, 112.
- of agents of Indian tribes, § 4, 173.
- of commissioner for sale of spirituous liquors, § 14, 299.
- of pilots, § 1, 336.
- of inspectors, of beef and pork, § 1, 342.
- of pot and pearl ashes, § 7, 356.
- of nails, § 14, 358.

## GOVERNOR AND COUNCIL—Continued.

- Bond*, of inspectors of fish, to be approved by, § 1, 364.  
of clerks of judicial courts, § 2, 595.  
of warden of state prison, § 5, 907.  
of superintendent of state reform school, § 12, 925.
- Capital cases*, when sentence of death is pronounced, copy of record and evidence to be transmitted to governor, § 7, 891.  
whole case to be reviewed and warrant of execution issued at expiration of one year, unless prisoner is pardoned or sentence commuted, § 8, 892.  
warrant of execution, how issued, § 9, 892.
- Civil officers*, persons may be appointed by, in each county, to qualify, § 85, 75.
- Clerks*, of courts, returns of votes for, to be opened and examined by, as returns of votes for county commissioners, § 1, 595.  
vacancies in office of, may be filled by, § 9, 596.
- Commissioners*, of the treasury, to be appointed by, in case of vacancy in office of state treasurer, § 61, 72.  
for the treatment of contagious diseases, among cattle to be appointed by, § 50, 223; § 54, 224.  
to furnish towns with unadulterated liquors, to be appointed by, § 14, 299.  
notice to be given to towns, of the appointment of such commissioner, his name and place of business, § 15, 299.  
annual report of such commissioner to be made to; to be laid before the legislature, § 17, 300.  
of wrecks and shipwrecked goods, may be appointed by, § 7, 337.  
of fisheries, to be appointed by, § 25, 369.  
to inspect and verify meridian lines, established by county commissioners, may be appointed by, § 16, 388.  
of insurance, to be appointed by, § 44, 436.  
his accounts to be audited by, § 44, 436.  
of railroads, to be appointed by, § 71, 462.  
county, returns of votes for, to be opened and examined by, on or before first day of December, § 5, 589.  
vacancies in office of, to be filled by, § 3, 589.  
to take depositions and acknowledgements of deeds, out of the state, may be appointed by, § 1-3, 735.  
to examine convicts, in the state prison, alleged to be insane, may be appointed by, § 5, 899.
- Commissions*, to be signed by governor, § 40, 68.
- Compensation*, of governor, § 1, 806.  
of members of council, § 6, 808.
- Contagious diseases*, among cattle, duties of, relating to, §§ 50, 54, 223, 224.
- Convicts*, in state prison alleged to be insane, may be examined by commissioners appointed by, § 5, 899.
- Counterfeiting*, and forgery, what rewards for conviction of those guilty of, may be paid by, § 11, 837.
- County attorneys*, returns of votes for, to be opened and examined by, as returns of votes for county commissioners, § 12, 596.  
vacancies in office of, may be filled by, § 12, 596.
- County treasurers*, returns of votes for, to be opened and examined by, as returns of votes for registers of deeds, § 3, 169.  
notice of election of, to be given to county commissioners, § 3, 169.  
vacancies in office of, to be filled by, § 5, 170.
- Election returns*, errors and frauds in, may be corrected by, § 96, 110; § 3, 166; § 5, 589.
- Fire arms*, provers of, to be appointed by, § 33, 361.
- Fish*, inspector general of, to be appointed by, § 1, 364.  
wardens to be appointed by, § 31, 370.
- Fisheries*, commissioner of, to be appointed by, § 25, 369.
- Forts*, arsenals or military roads, land for, may be taken by, in name of state, § 5, 62.
- Fugitives from justice*, agents may be appointed by governor to demand and receive, from the executive authorities of other states, § 4, 900.  
rewards for apprehending, may be offered by governor, § 5, 900.  
warrants may be issued by the governor, for the surrender of those found in this state, proceedings, §§ 6-10, 900, 901.

## GOVERNOR AND COUNCIL—Continued.

- Governors*, of the several states and British provinces, copies of laws, resolves, reports, and public documents, may be transmitted to, § 80, 74.
- Indian agents*, to be appointed by, § 2, 173.  
 vacancies in office of, to be filled by, § 2, 173.  
 account of all receipts and expenditures of, to be submitted to, § 9, 173; § 33, 177.  
 may lease certain lands under direction of, § 20, 176.
- Indians*, superintendent of agriculture among, may be appointed by, § 11, 174.  
 annual report to be made by superintendent in November, § 12, 174.  
 funds belonging to, how drawn and appropriated, § 24, 176; § 29, 177.
- Insane hospital*, trustees of, appointed by, § 1, 928.  
 salaries of all officers, subject to approval of, § 3, 928.  
 their accounts to be audited by, § 4, 928.  
 annual reports of trustees to be presented to, on the first of December, § 6, 929.
- Inspectors*, of beef and pork, to be appointed by, § 1, 342.  
 of lime, to be appointed by, § 1, 355.  
 of pot and pearl ashes, to be appointed by, § 7, 356.  
 of nails, to be appointed by, § 14, 358.  
 of fish, to be appointed by, § 1, 364.
- Insurrection*, governor may call into service such part of the militia as is necessary to suppress, § 9, 846.
- Jailers*, in certain cases, to be appointed by, § 23, 605.
- Justices, trial*, to be appointed by, § 1, 659.
- Lands*, may be ceded by, to United States, for certain purposes, § 3, 62.  
 for forts, arsenals, and military roads may be taken by, in name of state and ceded to United States, § 5, 62.  
 so taken, to meet public exigency, to be surveyed, and filing of plan and copy of order in council in office of secretary of state vests title in the state, § 6, 63.  
 public, governor, council, state treasurer and land agent to constitute a board for management of, § 4, 113.  
 to be located by, when donated by the state, to institutions or individuals, § 5, 114.  
 in unincorporated places, sold for non payment of taxes and redeemed, when warrant in favor of purchaser may be drawn by, § 48, 139.
- Land agent*, bond of, to be approved by, § 1, 112.  
 number and compensation of his clerks to be determined by, § 2, 113.  
 accounts of, to be audited by, § 13, 115; § 48, 121.  
 annual report, to be made to, § 51, 122.
- Librarian, state*, to be appointed by, § 69, 73.
- Library, state*, to be under control of, § 68, 73.  
 expenditure of appropriations for, may be directed by governor, § 71, 73.  
 copies of laws, resolves, reports and public documents may be transmitted to the governors of the several states and British provinces, § 80, 74.  
 to cause catalogue of books &c. in library to be made, § 83, 74.
- Moose wardens*, to be appointed by, in certain counties, § 10, 323.
- Normal schools*, course of study in, to be approved by, § 84, 202.  
 to be under supervision of, § 87, 203.
- Pardons*, conditional, may be granted by, to persons under sentence of death, § 1, 899.  
 and commutations of sentences, powers of, in relation to, §§ 1-3, 899, 900.  
 in cases of petition for, may require judge and prosecuting officer to furnish statement of case as proved at the trial, § 2, 900.  
 when sentence may be commuted from confinement in state prison to imprisonment in jail, § 3, 900.
- Pilots*, of any port, may be appointed by, § 1, 336.  
 compensation may be determined by, § 3, 336.
- President and Vice President*, duties of governor and council relating to choice of electors of, §§ 79-81, 106, 107.
- Railroads*, on appeal from decision of county commissioners in regard to crossings of highways, governor may appoint three disinterested persons, to revise decision, § 13, 451.  
 commissioners of, to be appointed by, § 71, 462.  
 to report to, annually, § 72, 462.
- Reform school*, supervision of, vested in, § 1, 922.  
 appointment of superintendent of, to be approved by, § 1, 922.  
 trustees of, to be appointed by, § 1, 922.

## GOVERNOR AND COUNCIL—Continued.

- Reform school*, accounts of trustees of, to be audited by, § 14, 64.  
 what warrants may be drawn on treasurer of state in favor of trustees of, § 15, 926.
- Register of deeds*, returns of votes for, to be opened and examined by, in December, § 8, 166.  
 vacancies in office of, to be filled by, § 5, 167.
- Reporter*, of decisions, to be appointed by, § 28, 587.
- Riots*, armed forces called out to suppress, subject to orders of governor, § 5, 845.
- Secretary of state*, vacancy in office of, to be filled by, § 31, 67.  
 number and compensation of clerks in office of, to be determined by, § 34, 68:  
 accounts of purchases and distributions of stationery, to be examined by, in December annually, § 36, 68.
- Sheriff*, may be required by, to give new bond, § 6, 602.
- State prison*, commissioners to examine convicts alleged to be insane, may be appointed by, § 5, 899.  
 supervision of, vested in, § 4, 907.  
 warden and inspectors of, to be appointed by, § 5, 907.  
 inspectors, to transmit to, a record of their doings, § 7, 907.  
 regulations for government recommended by inspectors, to be approved by, § 11, 908.  
 record of conduct of convicts in, to be submitted to, every three months, § 15, 910.  
 convicts in, may be transferred by order of, to county jails, § 20, 911.  
 to be visited by committee appointed by governor, as often as required, § 45, 916.  
 compensation of visiting committee, § 47, 916.  
 warrants for appropriations for, in favor of warden, may be drawn by, § 48, 917.
- Superintendent*, of public buildings, appointed by, § 20, 65.  
 of common schools, to be appointed by, § 69, 199.  
 number and compensation of clerks employed by him, to be determined by, § 69, 199.  
 report of superintendent, to be made to, § 71, 200.
- Supervisors*, of schools, county, to be appointed by, § 75, 200.
- Treasurer of state*, complaints against, to be investigated by, § 58, 71.  
 office of, may be declared vacant in certain cases, § 58, 71.  
 contingent fund of, to be audited by, § 59, 72.  
 new bond may be required by, § 60, 72.  
 to lay before, statement of warrants in favor of state, balances due from sheriffs, and names of sureties on bond, § 63, 72.
- Treasury*, commissioner of, may be appointed by, in case of vacancy in office of treasurer, §§ 61, 62, 72.  
 inventory of property in hands of treasurer, on appointment of commissioner, to be made by two persons appointed by governor, § 62, 72.
- Vessels, armed*, may be employed by, to protect the coast of the state, § 10, 846.
- GRACE**,  
 days of, on notes, bills and drafts, § 9, 329.
- GRAIN**,  
 measurers of, § 55, 352.  
 measure and weight of, § 56, 352.  
 penalty for wilfully burning, § 5, 830.  
 for wilfully destroying or carrying away, §§ 7, 9, 862, 863.
- GRAND CHILDREN**,  
 liable for support of grand parents, § 9, 280.  
 manner of descent of property to, § 1, 566.
- GRAND JURORS**,  
 rules by which clerks shall issue venire for, § 7, 773.  
 to serve one year, § 8, 773.  
 service of venire, § 9, 774.  
 irregularly drawn, or incompetent, or number otherwise reduced, how new, may be drawn, § 10, 774.  
 to attend on first day of term, § 15, 775.  
 fees of, § 11, 817.  
 oath and duties of, §§ 2-3, 885, 886.  
 election of foreman and tenure of office, §§ 4, 5, 886.  
 foreman to return list of witnesses examined before, to court, § 6, 886.  
 not to sit on trial of case, if challenged, § 20, 888.  
 failing to find indictment by reason of insanity, proceedings, § 2, 898.

## GRAND PARENTS,

liable for support of grandchildren, § 9, 230.

## GRANTOR AND GRANTEE,

words how construed in deeds, § 4, 58.

prior grantee, not to release covenants of first grantor, to prejudice of his grantee, § 15, 640.

## GRASS,

and timber, right to cut, may be taken on execution, § 1, 570.

may be attached, § 54, 625.

penalty for malicious injury to, § 9, 863.

## GRASS LANDS,

treble damages recoverable for trespasses on, § 11, 733.

## GRATUITIES,

to public officers and others, prohibited, §§ 6, 7, 840, 841.

## GRAVES,

and dead bodies, protection of, §§ 25-27, 852.

## GRAVESTONES,

or monuments, expense of, to be allowed in accounts of executors or administrators, § 57, 516.

not to exceed twenty dollars, in insolvent estates, § 57, 516. See *Monuments*.

## GRISTMILLS,

owners of, to furnish scales for weighing grain, § 5, 477.

penalty for taking more than lawful toll, § 5, 477.

## GUARDIANS, APPOINTMENT, POWERS AND DUTIES OF, ADOPTION OF CHILDREN,

CHAP. 67, 532-539.

## MINORS, 533.

*Guardians*, for minors, when they may be appointed, § 1, 533.

executor or administrator of estate not to be, of a minor interested therein, § 1, 533.

of minors under fourteen, to be appointed by judge of probate, § 2, 533.

if named by deceased father in will, judge to appoint, if suitable, § 2, 533.

minors, over fourteen, may nominate, § 2, 533.

such nomination subject to approval of judge, § 2, 533.

if nomination not approved, or if minor reside out of state or neglect to nominate, judge may appoint, § 2, 533.

authority of, over minor's person and property, § 3, 533.

to continue till minor is twenty-one, unless discharged, § 3, 533.

*Father of minor*, if competent, to have care of person and education of minor, § 3, 533.

*Mother of minor*, if unmarried and competent, to have such charge, § 3, 533.

*Guardian*, otherwise these duties devolve on, and judge may so decree in any case, if for the minor's welfare, § 3, 533.

## INSANE AND INCOMPETENT PERSONS, SPENDTHRIFTS AND CONVICTS, 533-535.

*Guardians*, for such persons, may be appointed by judge of probate, § 4, 533.

application for appointment to be in writing, § 4, 533.

by whom application may be made, § 4, 533.

for whom may be appointed, § 4, 533.

may be appointed, for convicts, or for persons committed by municipal officers to insane hospital, and so certified by them, without notice, § 5, 534.

may be appointed for insane or incompetent married women, after notice and hearing, without inquisition by municipal officers, § 5, 534.

proceedings when the municipal officers are applicants for the appointment of, § 5, 534.

notice of application for such appointment to be given to interested party, § 5, 534.

before appointment of, in all other cases, municipal officers to make inquisition of facts and report to the judge, § 6, 534.

personal notice of application for such appointment, to be given, § 6, 534.

copy of application and order of court thereon to be filed in registry of deeds, § 7, 534.

appointed, contracts of ward and transfers of property, void, § 7, 534.

to pay ward's expenses, in defending himself, from ward's estate, § 8, 534.

to have custody of ward's person, § 9, 534.

may bind out ward, not exceeding six months, § 9, 535.

to give credit for earnings of ward, § 9, 535.



GUARDIANS, APPOINTMENT, POWERS AND DUTIES OF, ADOPTION OF CHILDREN—  
Continued.

POWERS AND DUTIES OF GUARDIANS, 535-537.

- Guardians*, to give bond, conditions of bond, § 10, 535.  
to cause estate of ward to be appraised, § 11, 535.  
time when to return inventory of ward's estate, § 11, 535.  
warrant for appraisal may be revoked and new one issued, § 11, 535.  
shall manage estate of ward frugally and without waste, § 12, 535.  
how they shall apply income and property, § 12, 535.  
may apply for license to sell estate of ward, § 12, 535.  
shall settle debts and accounts of ward, § 13, 535.  
shall appear for ward in legal proceedings, § 13, 535.  
may insure estate of ward, § 13, 535.  
may act in cases of partition of, assignment of dower in, or levy of execution upon, real estate in which ward is interested, § 14, 535.  
may appoint appraisers of real estate taken on execution against or in favor of ward, § 14, 536.  
may apply for appointment of commissioners upon disputed claims, § 15, 536.  
may refer or compromise claims against estate of ward, § 15, 536.  
may represent estate insolvent, § 15, 536.  
may be authorized or required to sell stock, chattels or pews, and invest proceeds, § 16, 536.  
judge may direct, as to management, investment or disposal of estate of ward, and also as to the purchase of particular estates in lands, or freeing them from incumbrance, § 16, 536.  
married woman not to be appointed, nor to continue to be guardian after marriage, nor her husband in her right, § 17, 536.  
judge of probate may dismiss or remove, § 18, 536.  
notice to, in cases of removal, to be given, § 18, 536.  
authority of, over female ward, to cease on her marriage, § 18, 536.  
shall settle account at least once in three years, § 19, 536.  
neglect to settle, deemed breach of bond, § 19, 536.  
liable to removal therefor, § 19, 536.  
forfeit allowance for personal services for such neglect, § 19, 536.  
bond of, to be examined by judge on settlement of every account, § 20, 537.  
to give new and sufficient bond, when required by judge, § 21, 537.  
oath of one, sufficient for allowance of account, § 21, 537.

*Guardianship*, first granted, of persons residing out of the state, effect of, § 22, 537.

DISABILITY OF ADULTS UNDER GUARDIANSHIP, 537.

- Adults*, under guardianship, incapacity of, § 23, 537.  
guardian for, deceased or removed, another may be appointed without inquisition, § 23, 537.  
guardianship no longer necessary, judge to order restoration of property, § 23, 537.

GUARDIANS AD LITEM, 537.

- Guardians ad litem*, power of any court to appoint, not impaired, § 24, 537.  
power of court to appoint next friend, not impaired, § 24, 537.  
*Special guardians* may be appointed for married women in certain cases, pending proceedings in the probate court, § 25, 537.

EMBEZZLEMENT OF WARD'S ESTATE, 537.

- Proceedings*, on complaint of embezzlement of ward's estate, § 26, 537.  
*Penalty*, for embezzling estate of ward, § 27, 538.

ADOPTION OF CHILDREN, 538.

- Children*, petition to adopt, to be made to judge of probate, § 28, 538.  
written consent of parents, guardians, or next of kin, required to such adoption, § 29, 538.  
of child, required, if fourteen years of age, § 29, 538.  
proceedings in probate court, relating to adoption of, § 30, 538.  
legal effect of adoption of, § 31, 538.  
decree of probate court relating to, may be appealed from, § 32, 539.  
no bond to prosecute appeal to be required of child, § 32, 539.  
no costs to be awarded against, § 32, 539.  
allowance to, may be made from estate of deceased adopters, § 33, 539.

## GUARDIANS,

- may release damages to lands of wards taken for railroads, § 2, 448.
- power of, to bind minors, as apprentices, §§ 1, 2, 493; § 7, 494.
- judge of probate may appoint, for minors and others according to law, § 6, 497.
  - for minors interested in assignment of dower, or partition of real estate, § 18, 522.
- fees of, § 29, 501.
- of insane persons and spendthrifts, provisions of law relating to insolvent estates, applicable to estates under charge of, § 21, 531.
- sales of real estate by, by license of probate court, 547-553.
- proof of appointment of, in other states, how made, § 15, 550.
- tender may be made to, of sums due on mortgage, § 25, 707.
- in real actions, court may order notice to, § 17, 763.
- for insane persons sent to hospital, when and how appointed, § 25, 933.
- Guardians ad litem*, appointment of, §§ 24, 25, 537.
  - by court, before which writ of partition is pending, § 7, 694.
  - to appear for insane parties in suits, § 32, 643.
  - for minors, parties to real actions, § 17, 763.

## GUESTS,

- lien on goods and personal baggage of, § 38, 718.

## GUIDE POSTS,

- and boards, when, how, and where to be erected, §§ 77, 78, 254.
  - penalty for neglect, §§ 77, 78, 254.
- malicious injury and defacing, punished, § 14, 364.

## GUNPOWDER,

- regulations respecting keeping and transporting, § 24, 233.
- buildings for manufacture of, when deemed nuisances, § 8, 231.

## HABEAS CORPUS, CHAP. 99, 743-749.

- Habeas corpus*, writ of, who are entitled to, as a matter of right, § 1, 744.
  - minors enlisted into army or navy of United States, without consent of parents or guardians, entitled to, § 2, 744.
  - parent and guardian may apply, for minors, § 3, 744.
  - may be granted by supreme court or any justice thereof, on application of person in behalf of one entitled, § 4, 744.
  - persons not entitled, enumerated, § 5, 744.
  - application for, to whom made, and how returnable, § 6, 744.
  - issued by a justice of the court, how may be made returnable, § 7, 744.
  - application to be in writing, signed and sworn to, and what it shall state, § 8, 744.
  - applicant to produce copy of process, by which the person is restrained, § 8, 744.
  - writ not to be granted, if good cause for confinement appear by precept, § 8, 744.
  - bail appearing unreasonable, on mesne process, court may fix what is reasonable, § 9, 745.
  - to issue, if prison-keeper or officer refuses a copy of precept, § 10, 745.
  - form of writ in certain specified cases, § 11, 745.
  - service of writ, fee of officer and time of return, § 12, 745.
  - officer making return, to bring the body of person restrained, unless prevented by sickness or infirmity of such party, § 13, 745.
  - proceedings in case of sickness of imprisoned party, § 13, 745.
  - writ returned, examination to be made by court or justice into causes of restraint, § 14, 746.
  - notice to be given to persons interested in continuing such restraint before discharge, § 15, 746.
  - imprisoned on criminal charge, not to be discharged until notice is given to attorney for the state, § 15, 746.
- Party restrained*, may deny facts stated in return, and allege other material facts, § 16, 746.
  - shall be discharged if no legal cause for restraint is shown, § 16, 746.
  - if offence is bailable, shall be admitted to bail, § 17, 746.
  - if sufficient bail is not tendered, he shall be remanded, § 17, 746.
  - justice of the peace may bail party pursuant to the order of court, § 17, 746.
- Writ*, form of, if the restraint is by a person not an officer, § 18, 746.
  - by whom issued, and where served, § 19, 747.