

INDEX.

	<i>Section.</i>		<i>Section.</i>
ABANDONMENT.		ACADEMY OF SCIENCE.—Continued.	
children, by parent, punishment ..	7172, 7174	board of trustees, appointment of	925
relinquishes earnings	2792	expenses, how paid	929
husband, by wife, relieves of support..	2772	powers	926
parent, by child, relieves of support...	2789	quorum	933
ABATEMENT OF ACTIONS.		faculty, payment of	929
death of party is not	5234, 5078	funds, state treasurer custodian	932
deemed abated, when	5234	temporary, how secured	931
transfer of party's interest is not	5234	location and objects	923
marriage of party is not	5234	managed by board of trustees	924
ABDUCTION.		pupils, rules governing admission	927
female under eighteen, penalty	7166	records open to inspection	933
forbidden	2718	visits by committee	928
prostitution, punishment	7165	ACCESSIONS.	
ABORTION.		property, owner owns	3316
evidence necessary to convict	8197	personal (See <i>that title.</i>)	3499-3507
manslaughter in first degree, when ...	7085	real (See <i>that title.</i>)	3492-3498
procuring, punishment for	7177	ACCESSORIES.	
submitting to or soliciting	7178	defined	6826
ABSTRACTERS.		felony, prosecuted how	8059
appeal from annulment of certificate..	1778	punishment	6828
bonds, amount of, filed where	1774	liable to, when	8060
approved by whom	1774	ACCESSORY.	
penalty for doing business without..	1779	lien is, to act secured	4694
required	1774	transfer of thing transfers	3529, 5102
certificate of authority issued when ...	1775	ACCOMPLICE.	
issued by whom	1776	corroboration of, required to convict... 8195	
life of	1776	ACCORD.	
certificates to abstracts, false, county		accepted, extinguishes obligation	3826
officers liable on bond, when	1780	defined	3824
officers, by	1780	performance must be full	3825
fees for making abstracts	1781	partial, accepted, extinguishes obli-	
seal, impression of, filed where	1782	gation	3827
required	1782	satisfaction, defined	3826
used, how	1782	ACCOUNT.	
security, additional, required when ...	1777	agent for absent party must	6533
ACADEMY OF SCIENCE.		copies delivered on demand	5282
appropriation for construction and		verified when	5282
maintenance	930		

INDEX.

	<i>Section.</i>		<i>Section.</i>
ACCOUNT.—Continued.		ACTIONS.	
executors and administrators	6493-6502	Civil.	
employee must render	4109	abatement, death of party is not	5234, 5978
false by public officer	7360	deemed effected, when	5234
further, ordered when	5282	marriage of party is not	5234
guardians, joint, allowed how	6559	transfer of interest is not	5234
partner, must, for what	4381, 4393	accounting for rents during redemption	
pleading of	5282	period	5549
reference to take	5454	administrators, by and against	6467
shipmaster must	4147	bonds, of, on	6474
trustee must, for what	4273	adverse claims, to determine.	
ACCOUNTING, UNIFORM SYSTEM OF.		(See <i>Quieting Title, 5904-5919.</i>)	
(See <i>State Institutions, 309-321.</i>)		alienation does not affect	5917
ACCUMULATIONS.		attached property, by sheriff to obtain	5367
income of property, allowed for what		attachment, on undertaking of plain-	
purpose	3313	tiff, in	5358
allowance to minor, how	3315	banks, against insolvent	3258
directed for whose benefit	3313	building associations, against insolvent	3219
illegal, what	3312	carriers, against, for damages	3037
void beyond minority	3314	fine no bar	3040
ACKNOWLEDGMENTS.		railroad commissioners' report, on	3047
certificates, action to correct	3588	certificates of acknowledgment, to cor-	
apprenticeship, indenture	2841	rect	3588
authentication	3586	civil, defined	5160
former, code does not affect	3592	claim before due, on, dismissed when	5353
forms	3584	permitted, when	5353
justice, before, authenticated by clerk	3587	classified	5158
knowledge officer must have	3577	commenced, how	5246, 5264
legalizing former, by deputy sheriffs	3585	deemed, when	5209, 5264
married women	3578	prior to code	5148
officers who may take, district in state,	3574	condemn property, to	5955-5973
state, in	3573	consolidation	5738
state, without, in United States	3575	corporate stock, to redeem	2933
United States, without	3576	corporations, by and against	5753-5784
personating another in	7485	county court to certify to district court,	
proof when unacknowledged	3579-3583	when	6593
ACQUITTAL.		death of one of several parties, effect	5237
bars further prosecution, when	8219	wrongful act, by, for	5974-5979
court may advise, when	8208	debtors, against joint and several, all	
defendants, several, of one or more	8058	not served	5261
duel in other state, defense, when	7082	decendent, against, pending at death,	
county, in one, bar in another	7869	prosecuted how	6475
foreign country, in, bar	7868	defined	5156
foreign law, under, defense	7686	disease, damages for spreading	7336
judgment of, discharges prisoner	8253	dismissal, delay in prosecuting new	
plea of former, form of	8101	trial, for	5629
sustained, when	8107, 8108	surety, for failure to furnish, for costs	5599
sustained, when not	8106, 8199	divided, may be, when	5296
verdict of, not reconsidered	8248	easements, to enforce right to	3359
verdict, on informal, when	8250	elections, corporate, to vacate	2897
		executors, on bonds of	6474
		false name, prosecuting in, misdemeanor	7032
		forcible detainer	6677

INDEX.

	Section.
ACTIONS.—Civil.—Continued.	
foreclosure of liens on personal prop-erty	5897-5903
mortgages, for	5865-5882
forfeitures	5785-5794
form of, but one	5181
guardian's bond, on	6584
instrument, to prove	3589
joinder of causes of	5291
judgments of this state, on, leave of court, when	5182
jurisdiction of, when deemed acquired	5264
limitations (See <i>that title</i> .)	5184-5208
married women, for support of	5923-5928
mechanic's lien, to foreclose	4796
merged, civil and criminal, not	5161
miner's lien, to foreclose	4810
minor may bring, by guardian	5225
nuisance, to abate	5920
office, to remove from	361-363
partition in county court	6517-6523
district court, in	5795-5843
parties to, defined	5181
other, brought in by court, when	5238
party in interest to prosecute	5221
patents, to annul, by state	5752
pending, deemed, when	5739
unaffected by common carrier law	3054
penalties, for	5785-5794
quiet title, to	5904-5919
quieting title, in county court	6466
quo warranto	5741-5751
real property, affecting, alienation does not affect	5917
conveyed fraudulently by decedent	6480
county court, in	6466
injury to, for	3371
possession, for, by servient tenement	3360
right of re-entry accrued, after	3350
redemption of corporate stock	2933
removal from office	361-363
revival after death of nonresident in-testate	5236
settler on United States lands, by	5919
state, against	5929-5931
support of married women	5923-5928
tax deed, to set aside	1269
taxes, for collection of	1274
time for proceedings in, extended how	5722
undertaking of bail, on	8459
waste during redemption period, for	5916
guardians, tenants, etc., against	5921

	Section.
ACTIONS.—Continued.	
Criminal.	
continuance	8498
defendant's rights in	7749
defined	5159, 7746
dismissal, bar, not a	8502
defendant discharged	8499
made, must be, when	8497
reasons must appear in order	8500
entitled, how	7747
law governing	8690
name, prosecuted in false	7032
ACTIONS BY AND AGAINST CORPORATIONS.	
annuling, corporation, action for, by state	5775
action for, by state, grounds	5775
state or individual, by, grounds	5776
attorney general to bring, when	5777
distribution of property of annulled corporation, order of	5779
judgment, provisions of	5779
notice of, to corporation, when	5778
private person may bring, when	5777
receiver appointed after judgment	5779
cases in which authorized	5780
corporations to which law does not apply	5784
costs of state, how paid	5782
foreign corporations, against, though having ceased to exist	5757
property in this state not divested by foreign assignment	5757
rights as litigants	5756
incorporation, how alleged	5753
proof of, required only when denied	5754
insolvent corporations, action proceeds though creditor settles	5766
acts which may be enjoined	5764
costs, original plaintiff not liable, when	5766
creditors all required to join in one action	5773
creditors' suits restrained, when	5773
discovery of property compelled	5774
dissolve, to, when authorized	5762
persons who may bring	5763
distribution of property on final judgments	5771
injunction granted, when	5764
officers, etc., compelled to testify	5774
receivers appointed, when	5765
powers of	5765

INDEX.

	<i>Section.</i>		<i>Section.</i>
ACTIONS BY AND AGAINST CORPORATIONS.—Continued.		ADJUTANT GENERAL.—Continued.	
insolvent corporations, sequester its property, to.....	5761	report to governor.....	1374
stockholders, etc., action against....	5769	salary and allowances.....	1375
defendants after judgment against corporation, made, when.....	5768	ADMINISTRATION.	
defendants, made, when.....	5767	(See <i>Estates of Decedents.</i>)	
liability enforced after judgment, when, how.....	5772	ADMINISTRATORS.	
receiver in action against, when...	5770	(See <i>Estates of Decedents.</i>)	
judgment roll, to be filed where.....	5783	ADMISSION.	
name, misnomer waived, when.....	5755	genuineness of papers.....	5643
officers, against, persons who may bring purposes for which may be brought..	5758	ADOPTION.	
repeal of law creating, laws applicable	5781	age of person adopting.....	2798
visitorial powers of public officers not divested.....	5760	authorized.....	2797
ACTIONS FOR PENALTIES AND FORFEITURES.		consent, child's necessary, when.....	2801
attachment permitted, when.....	5787	guardian's necessary, when.....	2800
brought by whom.....	5786	husband's necessary, when.....	2799
complaint, allegations of.....	5787	parent's necessary, when.....	2800
forfeited goods, for.....	5788	wife's necessary, when.....	2799
forfeiture imposed by ordinance, etc.	5791	decree.....	2803
forfeitures, by-law of city imposing....	5791	effect of.....	2805
ordinance of city imposing.....	5791	legitimizes child, when.....	2806
recoverable by action, what.....	5785	petition, authority to make, who has..	2802
state, to.....	5794	hearing of, and decree.....	2803
highest sum specified, for, when.....	5789	status of child adopted.....	2804
judgments, provisions of.....	5790	ADULTERATION.	
moneys collected, to whom paid.....	5792	cigarettes, punishment.....	7337
procedure, same as civil action.....	5787	food or medicines.....	7309
treasurers, municipal, to collect forfeitures.....	5793	medicines, misdemeanor.....	7286
ADJOURNMENT.		ADULTERY.	
court, of, final, discharges trial jury	5441, 8229	defined.....	7169
discharges grand jury.....	8009	divorce granted for.....	2737
pending consultation of jury....	5441, 8229	prosecution for, limitation.....	7169
clerk, by, district court.....	1991	punishment for.....	7170
supreme court.....	5170	ADULTS.	
criminal actions.....	8141	definition of.....	2699
examination of defendants.....	7954	ADVANCEMENTS.	
justice court, limited.....	6651	heirs, to, considered on distribution... (See <i>Succession.</i>).....	6513 3752-3756
criminal matters, in.....	6747	AFFIDAVITS.	
legislature, compelling, punishment...	6921	defined.....	5666
sale, judicial.....	5535	extrajudicial, administering, misdemeanor.....	6995, 6996
ADJUTANT GENERAL.		made where and how.....	5670
military officers, to register.....	1374	new trial, criminal action.....	8273
regulations, to publish.....	1374	title not required.....	5737, 8422
forms and notices, to prepare and issue	1374	use of.....	5669
pension bureau, to organize.....	1375	AFFIRMATION.	
		substituted for oath, when.....	461

INDEX.

	<i>Section.</i>		<i>Section.</i>
AFFIXING.		AGENCY.—Continued.	
defined	7263	authority of agents, actual, defined	4321
AGE.		delegation, when authorized	4346
elector, of qualified	479	wrongful, makes agent principal...	4347
majority, of	2698	ostensible, defined	4322
AGENCY.		classified	4306
actual, defined	4307	creation, consideration unnecessary	4313
agents, agents of, not responsible to		manner of	4312
principal	4133	oral authorization sufficient, when ..	4314
(for nonresident administrators, heirs,		written authorization, when neces-	
etc., see <i>Nonresidents</i> .)		sary	3887, 3960, 4314
appoint, who may	4304	defined	4303
authority conferred by law	4323	factors, (See <i>that title</i>.)	4353-4355
exceed, must not	4130	laws, other, governing	4345
extent of	4309, 4310	notice to agent, notice to principal	4334
general, limited	4327	ostensible, defined	4308
limited to terms	4326	principal, agent's wrong, responsible for	4341
necessary acts, to do	4324	bound by acts under ostensible au-	
possess what principal confers	4320	thority, when	4333
principal, have none to defraud....	4311	bound by instrument intended to	
bound, if exclusive credit given him,		bind	4339
when	4337	bound how far, when authority ex-	
covenants, may give usual	4329	ceeded	4335
damages, measure of, breach of war-		bound if exclusive credit given agent,	
ranty of authority	4995	when	4337
defined	4303	execution of authority incomplete,	
embezzlement, guilty of when	7464	bound when	4333
general, defined	4305	liabilities of agent bind, when	4332
heirs, appointment of, for nonresi-		negligence of agent, responsible for,	
dent	6530	when	4340
instructions, may disobey when	4325	rights of agent accrue to	4332
liable as principal, when	4343	ratification, invalid, when	4317
liabilities of, bind principal, when...	4332	mode of making	4315
negotiable instrument, duty as collect-		part, of, ratifies all	4316
ors	4132	rescission of, when	4319
negotiable instrument, duty to give		retroactive, limited	4318
notice of dishonor	4903	representations, agent may make	4324
persons who may be	4304	set-off against agent allowed, when	4338
price, may receive	4330	shipmaster, pilots, etc. (See <i>Ship-</i>	
principal, must keep informed	4131	ping.)	4356-4369
representations, may make	4324	subagent, rightful, principal's agent ..	4348
rights of, accrue to principal	4332	termination, causes effecting	4349
sale by, passes title, when	3554	causes, if not coupled with interest..	4350
set-off against, may be made when..	4338	AGRICULTURAL COLLEGE.	
special, defined	4305	board of trustees, appointment of, va-	
price, may receive on delivery....	4331	cancies	936
surrender of property adversely		compensation of members	938
claimed	4344	duties	939
warrant authority	4342	meetings	938
warrant title to personalty, may	4328	organization, quorum	937
auctioneers, authority from bidder	4352	report annually to governor	945
authority from seller	4351	course of instruction	940
		degrees may be conferred	946

INDEX

	<i>Section.</i>		<i>Section.</i>
AGRICULTURAL COLLEGE.—Continued		ALTERATION.—Continued.	
experiment station, management of...	947	contract not in writing, by consent in	
faculty, report annually to trustees....	944	writing.....	3935
rules may be adopted by.....	942	duplicate contract, of, effect of.....	3939
grants by congress, assent thereto	948, 949	landmarks, misdemeanor.....	7575
location.....	934	obligation, of, exonerates guarantor	4642-4648
management.....	935	exonerates surety.....	4656
objects.....	940	records, judicial and public, misde-	
president, duties.....	943	meanor.....	6959, 6960
salaries fixed by board of trustees....	941	vote of another, misdemeanor.....	6861
treasurer, bond.....	937		
bond required.....	950	AMENDMENTS.	
AGRICULTURE.		appeals, any proceeding on.....	5625
(See <i>Board of Agriculture, 156-168.</i>)		county courts, in.....	6244-6247
ALDERMEN.		justices' courts, in.....	6666
(See <i>Cities, 2133-2136.</i>)		pleadings, delay, for, stricken out....	5296
ALIENATION.		demurrer overruled, after, on terms..	5296
conditions restraining, void.....	3307	judgment, before and after.....	5297
future interest suspended, void.....	3309	of course without costs.....	5296
power of, suspended, defined.....	3309	variance in cases of.....	5293, 5294
suspended, how long.....	3308	proceedings, extent of.....	5297, 5298
right of recovery not affected by.....	5917	process, extent of.....	5297
suspension of power, further defined..	3335	AMERCEMENT.	
period of, how computed.....	3436	(See <i>Executions.</i>)	
ALIENS.		ANIMALS.	
limitation of actions as to.....	5213	domestic, borrower, duties of.....	4044
property, may hold and dispose of....	3277	depository, duties of.....	4013
succession, may take by.....	3758	exemplary damages for injuries to...	5004
ALIMONY.		fighting, keeping pit for.....	7561
enforced how, security.....	2762	fights between, instigating.....	7562
granted when.....	2758, 2761	infected with contagious disease,	
pending action.....	2759	killed, when.....	1601
ALLEGIANCE.		watering, etc., at public trough...	7560
defined.....	14	killing, maiming, etc.....	7559
renounced, may be.....	15	overdriving, etc., misdemeanor, when	7560
ALLOWANCE.		poisoning.....	7558
estate insolvent, limited to a year....	6393	quarantine, removal from.....	1600
family, court grants when.....	6393	racing, used for, forfeited.....	7245
preferred claim.....	6394	registration of, wrongful.....	7267
minor child, to parent for support		sale pending attachment.....	5369
of.....	2782, 6546	skinning dead, prohibited.....	1548
support of widow and children, for....	6393	stallion, etc., permitting to run at	
ALTERATION.		large.....	7635-7638
bill, draft of, misdemeanor.....	6924	wild, ownership, subjects of, when..	3268
engrossed copy of, misdemeanor....	6925	property of state, except.....	7676
contract extinguished by.....	3937, 3938	(See <i>Game and Fish, 7676-7683</i>)	
contract in writing, contract in writing,		ANSWER	
by.....	3936	allegations deemed denied, what.....	5292
oral agreement, executed, by.....	3936	complaint, to part of, demurrer to resi-	
		due.....	5275
		contain, what to.....	5273

INDEX.

	<i>Section.</i>		<i>Section.</i>
ANSWER.—Continued.		APPEALS TO SUPREME COURT.—Civil	
counterclaim, allegations not denied ad-		Actions.—Continued.	
mitted	5292	deemed taken, when	5606
set up, may be, by answer	5273	deposit, effect same as undertaking ...	5608
several may be	5274	notice of, to respondent	5608
county court, in, filed when	6610	undertaking, in lieu of	5608
defense, limitation of actions, made		dismissal makes sureties liable	5624
only by	5184	effect of perfected	5623
separately stated, must be	5274	ineffectual without undertaking	5609
several may be set up	5274	judgment affirmed against nonresident	
joint debtors summoned after judg-		intestate, when	5236
ment, of	5636	judgment, attorney's license, revoking,	
judgment on, if counter claim not re-		from	437
plied to	5278	final, entered when	5628
objection, "cause of action not stated"		power of court as to	5628
not waived, if not taken by	5272	referee's report, appeals from judg-	
jurisdiction, to, not waived, if not		ment on	5460
taken by	5272	reviewed, what may be on appeal from	5627
taken by, instead of demurrer, when	5271	mode of taking	5606
waived, if not taken by, exceptions ..	5272	motion for new trial unnecessary, when	5627
partition, in, allegations	5801	new trial must be had within one year	5629
sham and irrelevant, may be stricken		notice of, contents	5606
out	5276	served on whom	5606
supplemental	5301	service out of state, how made	5606
time for	5267	orders, appealable, what	5626
APPEALS TO DISTRICT COURT.		contempt, final, in, from	5954
county commissioners, from decisions		discharging from imprisonment, from	6148
of	1927-1931	power of court as to	5628
decisions of, what appealable	1927	opinion transmitted to lower court, when	5628
filed, when	1929	parties to, how designated	5604
mode of taking	1928	perishable property sold, when	5623
trial de novo	1930	power of court on	5628
county courts, from (See <i>Estates of De-</i>		railroad commissioners, from judgment	
cedents.)		on report of	3049
disputed claims against county	2036	record, certificate of clerk to	5607
homestead, order directing sale	3637	copy transmitted, when	5607
police magistrate, from decisions of ...	2201	respondent may have transmitted,	
railroad commissioners, orders of,		when	5607
from	3034, 3050	returned to lower court, when	5628
APPEALS TO SUPREME COURT.		transmission of	5607
Civil Actions.		review, extent of, on appeal from judg-	
abstracts, printed, not required, when	5631	ment	5627
action, title unchanged	5604	issues tried by court or referee	5627
actions tried without jury, in	5630	statement of case unnecessary to,	
amendments	5625	when	5627
authorized	5603	statement of case, (See <i>that title.</i>)	5464-5470
contests of elections, judgments in,		stay of execution, deposit of convey-	
from	571	ance, by	5612
time of taking, hearing	572	deposit of property or undertaking, by	5611
decision of district court on orders of		undertakings, by	5610, 5613-5616
railroad commissioners	3034	stay of proceedings, supreme court may	
decision remitted to court below	5628	order, when	5621
		time for hearing	5632

INDEX.

<i>Section.</i>	<i>Section.</i>
APPEALS TO SUPREME COURT.—Civil	APPEALS TO SUPREME COURT.—
Actions.—Continued.	Criminal Actions.—Continued.
time for taking extended by what 5605	reversed, procedure..... 8352
extended, not to be..... 5722	supreme court, in..... 8348
judgment, from 5605	manner of taking, notice..... 8331
order, from..... 5605	notice of, service, publication..... 8332
undertakings, affidavit of sureties..... 5622	parties entitled to..... 8325
breach of, what deemed..... 5624	power of court on..... 8350
costs and damages, for..... 5609	reversal, effect of..... 8357
court fixing amount, notice required 5621	review, court may, what..... 8349
damages, reference to ascertain..... 5624	state, by, appeal from what allowed... 8329
deposit in lieu of..... 5608	effect of..... 8334
filing of original required..... 5621	power of court..... 8356
instruments, in one or several..... 5621	taken, deemed when..... 8333
necessary to make effectual..... 5609	time for taking, limited..... 8330
new, required when..... 5620	
orders in provisional remedies, on, to	APPEARANCE.
continue in force..... 5618	county court, in (See <i>Estates of Dece-</i>
stay performance, to..... 5617	<i>dents.</i>)
persons not required to give..... 5619	defendant, entitled to notice of judg-
service of..... 5621	ment, when 5413
sureties, exceptions to sufficiency... 5622	justice's court, in (See <i>Courts, Jus-</i>
liable on dismissal, when..... 5624	<i>trices.</i>)
waiver of, how made..... 5608	voluntary, equivalent to service of sum-
undertaking to stay execution, judg-	mons..... 5264
ments unspecified, on 5616	
nuisance, abatement of, judgment for 5615	APOTHECARY.
payment of money, judgment for.... 5610	(See <i>Pharmacist, 7302,7303.</i>)
personalty, judgment for delivery of 5611	APPLICATION.
realty, judgment for delivery of..... 5613	(See <i>Payments.</i>)
judgment for sale of..... 5613	APPOINTMENTS.
sale under mortgage, judgment for.. 5614	buying, to office..... 6911
Criminal Actions.	governor makes what..... 83
action, title of on appeal..... 8327	offer of, unlawful, void..... 6914
argument, counsel, number allowed... 8346	rewards for, to office..... 6913
stands for, when..... 8344	selling, to office..... 6912
bail, officer's duty on receiving..... 8341	
order admitting to..... 8455	APPORTIONMENT.
qualifications..... 8455	legislative districts, of..... 37
certificate of probable cause filed 8336, 8337	moneys going to counties, etc..... 328
defendant, appeal by less than all..... 8339	
appeal, may from what..... 8328	APPRENTICESHIP.
custody of, pending..... 8340	age of apprentice, indenture to state.. 2836
presence unnecessary on hearing.... 8347	apprentice, absence, willful, penalty... 2845
right of..... 8326	agreements which cannot be accepted
dismissal affirms judgment 8342	from..... 2846
granted, when..... 8342	authorized, who may enter into..... 2831
granted, when not..... 8343	bible to be given apprentice..... 2838
judgment affirmed, must be, when..... 8345	consent to, how, by whom given..... 2832
affirmed, must be enforced..... 8353	consideration, indenture to state..... 2837
certified to district court 8354	contract of, breach, no liability, when.. 2833
jurisdiction..... 8355	county commissioners, bind to, may,
conviction, of, superseded when..... 8335	when..... 233

INDEX.

	<i>Section.</i>
APPRENTICESHIP.—Continued.	
county commissioners, duty relating to apprentices	2844
education of apprentice required	2838
immigrant minors may bind themselves	2840
indenture, acknowledgment of, by minor	2841
age of apprentice, to state	2836
agreement for education	2838
assignment allowed, made how	2842
consent to	2849
master's death, after	2848
consideration, if any, stated	2837
counterpart to be filed	2839
void, when	2843
Indian child, of, consent	2835
restraint of free vocation, penalty	2847
APPROPRIATIONS.	
available, when	303
board of university and school lands, for expenses of	235
cancellation of unexpended	320
clerk hire for state offices	335
cruelty to animals, agent	1587
document fund	68
firemen's association	1031
institutes, teachers'	756
legislative officers and employees	96
library, state	1035, 1036
state educational	866
militia	1425
presidential electors, for compensation of	555
public printing	76
receipts, miscellaneous, for state institutions	321
salaries of state officers	336
school funds, for interest on investments of	178
settlers, for needy	1511
soldiers and sailors, for burial of	1816
supplies for state offices	338
veterinarians, for district	1613
weather bureau	151
APPURTENANCES.	
defined	3273
defined, (<i>Shipping</i>)	3469
ARBITRATION.	
actions, what not affected by chapter ..	5998
appeals, order reversed, proceedings ..	5997
order vacating, from	5996
power of supreme court	5993
record on	5993

	<i>Section.</i>
ARBITRATION.—Continued.	
arbitrators, bribes, receiving, punishment	6937
gifts, accepting, misdemeanor	6939
influence, attempts to	6941
intimidate, attempts to	6999
misconduct, what is	6938
oath	5983
powers	5982
authorized, when	5980
award, execution of	5985
filed when	5985
judgment on	5990
motion to affirm, when made	5986
modify, grounds	5988
vacate, grounds	5987
costs on setting aside	5985
taxed how	5990
court, power of	5989
judgment on award	5990
enforced how, if not for money	5994
entered how	5991
law governing	5992
submission, bond, in, damages for revocation	6000
revocation cannot be made, when ..	5999
damages on	5999
writing, must be in	5981
witnesses, attendance compelled	5984
ARRAIGNMENT.	
answer, time for allowed	8080
defendant, counsel for	8075
name, another given, procedure	8079
presence at, enforced, how	8064, 8065
required, when	8063
rights, court must inform him of	8075
procedure on, how made, name	8076-8079
time of making	8062
ARREST.	
aid, person summoned must	7915
refusing, to officer, misdemeanor ..	6991
arrest and bail, in (<i>See that title.</i>) ..	5303-5330
authority, without lawful, misdemeanor ..	6989
bail may arrest defendant	8456
breaking doors, etc., generally	7935
bystander, by, duties of officer	7927
contempt proceedings; in (<i>See Contempts.</i>)	5932-5954
coroner may order, when	2016
county, in another, procedure	7903
crime bailable and bail not given	7902

INDEX.

<i>Section.</i>	<i>Section.</i>
ARREST.—Continued.	ARREST.—Continued.
crime bailable, not, defendant held in custody 8070	warrant, requisites 7893
committed in presence of magistrate 7928	returnable in another county 7907
defendant held to another county, procedure 8206	telegraph, sent by, when 7936
defined 7912	weapons, offensive, taken away 7933
delay by officer prohibited 7904	without warrant, complaint must be filed 7889
escape, re-arrest of 7948, 7949	procedure 7934
execution on civil process, on 5504, 5562	ARREST AND BAIL.
force which may be used, if resisted 7921	affidavit, requisites of, filing 5306
hearing, felony, before whom 7899	service on defendant required 5309
magistrate, before another, procedure 7905	answer, time for 5308
misdemeanor, before whom 7900	arrest, causes for 5304
indicted person, mode of 8036	defendant, of, by bail 5314
insolvency proceedings, in 6013	bail, action against 5315
insurrection, resisting during 6993	allowance of, if sufficient 5321
made by whom 7913	defendant may give, rights 5310
mode in which 7917	deposit in lieu of 5322
night, at, officer's duty to make, when 7925	examination of, for justification 5320
officer, aid, may summon 7914	exonerated by what 5316
assistance, may command 7898	justification 5318
break doors, etc., may when 7922, 7924	liable to sheriff 5328
force, may use, if resisted 7921	mode of giving 5312
liable to, when not 7910	plaintiff may except to 5317
warrant, must obey directions of 7920	qualifications 5319
person indicted, mode of 8036	defendant may surrender himself, how 5313
presentment, under 8026-8030	deposit in lieu of applied on judgment 5325
private person, by, authorized, when 7929	payment into court 5323
break doors, etc., may when 7931	refunded, if bail given 5324
duty on making 7932	discharge from arrest, when 5311
procedure 7930	deposit, on 5322
process, without, misdemeanor, when 6989	escape, action will not lie for, when 2000
railway police, by, procedure 7944	liability of sheriff for 1998, 5326
refusal to make, misdemeanor, when 6992	limitation of power to arrest 5303
resistance, force used to overcome 7921	motion to vacate, proofs used on 5330
resisting during insurrection 6993	time for making 5308, 5329
restraint on, limited 7918	order for arrest, execution of 5310
rioter, refusing to 7346	form 5308
summary, defense to prosecution, when not 6882	issued by whom 5305
elections, at, for disobedience of election offices 6881	issued when 5308
telegraph, directed by, how 7939	prerequisites to issuing 5306
order for by, executed how 7940	return to plaintiff or attorney 5308, 5317
time of making, felony, at any time 7916	service must be before judgment 5308
misdemeanor, in day time 7916	service of, on defendant 5309
warrant, without, made when 7923	rescue, liability of sheriff for 1999
night, at, when 7925	service of papers 5309
warrant, bench, issued when 8026, 8036	sheriff, bail liable to 5328
directed to whom 7894	judgment against, resort to bond 5327
exhibited, when must be 7919	liability of, for escape 5326
form 7892	surrender of defendant by bail 5313
	undertaking on, conditions of 5307
	women cannot be arrested, except 5304

INDEX.

	<i>Section.</i>		<i>Section.</i>
ARREST OF JUDGMENT.		ASSESSORS. — <i>Continued.</i>	
(See <i>Judgments</i> , 8275-8277.)		school and public lands, to examine....	213
ARSON.		statistics furnished by.....	1038
buildings, contiguous.....	7391	obtained by, how.....	1040
defined.....	7383	township, governed how.....	2615
inhabited, defined.....	7384	school lands, to examine.....	213
burning, defined.....	7386	value, may estimate, when.....	1188
intent to destroy, without.....	7390	value of property, determine.....	1207
property insured, punishment.....	7498	fix, when.....	1190
defined.....	7382	ASSOCIATIONS.	
degrees classified.....	7392	(See <i>Corporations</i> .)	
first, defined.....	7393, 7394	ASYLUM AND POOR FARM.	
second, defined.....	7395, 7396	(See <i>Poor Farm</i> , 1495.)	
third, defined.....	7397, 7398	ASYLUM FOR INSANE.	
fourth, defined.....	7399	(See <i>Hospital for Insane</i> , 984-1008.)	
malice inferred when.....	7389	ATTACHMENT.	
murder, if causing death, when.....	7095	action deemed commenced, when.....	5354
nighttime defined.....	7385	penalties and forfeitures, in.....	5787
ownership defined.....	7387	plaintiff, by, to obtain property.....	5368
punishment for.....	7400	sheriff, by.....	5367
variance, immaterial, in proof.....	7388	affidavit, contents of.....	5356
ASSAULT.		animals, sale pending action.....	5369
acts not unlawful.....	7143	authorized in what actions.....	5352
conviction for in maiming, when.....	7108	claim before due, on, when.....	5353
defined.....	7141	cases in which authorized.....	5352
drugs, etc., administering, to commit		certificate of defendant's interest.....	5366
felony.....	7129	claim before due, on, when.....	5353
intent to commit felony.....	7127	discharge, application for by defendant,	
punishment for.....	7144	when.....	5370
shooting with intent to kill.....	7115	application for, several defendants..	5372
weapon, with dangerous, punishment..	7145	evidence on motion for.....	5376
deadly, with.....	7115, 7127	grounds for.....	5376
ASSESSORS.		proceedings after.....	5377
assessment roll, to deliver to auditor..	1209	undertaking for, by defendant.....	5371
bribes, receiving, punishment.....	6937	partners.....	5373
classification and values of state board,		evidence, what is, on motion to dis-	
to follow.....	1328	charge.....	5376
deaf and dumb, reported by.....	961	examination of defendant's debtor....	5366
deputies, appointment, bond, etc....	370, 371	inventory, contents.....	5361
equalization, to give notice of.....	1208	filed when, where.....	5361
examine under oath, when.....	1189	levy, though not made, when.....	5361
expenses of, in unorganized counties,		judgment for defendant, proceedings on	5379
paid how.....	1337	plaintiff, for, how satisfied.....	5378
intimidate, attempts to.....	6999	justices' court, in (See <i>Court, Justices'</i>)	
militia list, to make.....	1357	levy, dissolved by insolvency proceed-	
notes and securities, to assess how....	1207	ings, when.....	6036
oath, to administer, form of.....	1188	mode of, option with plaintiff, when	5362
oath of, form.....	1191	notice of, service.....	5364, 5525
perjury, when guilty of.....	1192	personal property, bulky, on.....	5362
property listed, how.....	1189	capable of delivery, on.....	5362
refusals to list, duty of on.....	1210	other, on.....	5362
verify lists, report of.....	1189		

INDEX.

ATTACHMENT.—Continued.	<i>Section.</i>	ATTACHMENT.—Continued.	<i>Section.</i>
levy, property of nonexisting foreign corporations	5757	warrant, issued by whom	5355
range stock, on	5362	issued upon what	5356
real property, on	5362	requisites of	5357
successive, authorized when	5360	service required in what cases	5364
lien of, attaches when	5362	service of, when property seized (sub-division 3)	5362
officer, of, dependent on possession ..	4840	several, to different counties	5357
motion to discharge, hearing, proof used on	5376	waiver, giving undertaking, not, of what	5375
made by whom	5376	ATTEMPTS.	
mortgaged property may be levied on ..	5363	belief, to compel form of	6850
notice of, cancellation of, how made ...	5380	child, to conceal death of	7697
personal property	5362	commit crimes, to, conviction for restricted	7693
range stock	5362	duel, to induce challenge to	7136
real property	5362	escape from prison	6948, 6949
property claimed by third person	5365	failure of, when lesser crime results	7694
depreciating in value, sale	5369	intimidate officer	6999
perishable, sale	5369	kill, to	7115
pledged, may be levied on	5363	assaults, by other	7116
return, partial, with inventory	5361	poison, by administering	7114
sheriff, of	5381	officer, to intimidate	6999
sheriff, actions, may maintain for what collects debts, etc	5367	prisoners, of, to escape from prison 6948, 6949	
indemnity to, in certain actions	5368	suicide, to commit	7046
property adversely claimed	5365	aiding	7049
liable for surety of defendant, when return of	5374, 5381	ATTORNEY GENERAL.	
summons, service or publication required, when	5354	action to annul patents, duties	5752
surety, defendant may except to plaintiff's	5358	railroad commissioners' report, on ...	3047
justification of plaintiff's	5358	assistant, duties, etc	122
plaintiff may except to defendant's ..	5374	board of state auditors, member of	236
undertakings by defendant, discharge, for, filing	5374	coal rate law, to prosecute violations ..	3072
discharge, for, partners	5373	commissioners of railroads, attorney for	3009
part of property, for	5371	duties	119
several defendants	5372	forfeitures to state, to bring actions for 5794	
service of	5374	prosecutions in name of, permitted when	7024
forthcoming, for discharge	5371	register of actions, to keep	119
releases levy	5357	report to governor	120
judgment, to pay, for discharge	5371	neglect of officers to make, prosecutes for	305
releases levy	5357	salary	121
returned to defendant, when	5379	state's attorneys, to advise, etc	119
waiver, giving is not, of what	5375	state officers, to advise, etc	119
undertaking by plaintiff, action upon without judgment against plaintiff 5358		ATTORNEYS.	
conditions of	5358	admission, certificate, on, qualifications 424	
warrant attested how	5355	examinations, how conducted	422
execution of	5360	power of, vested in supreme court only	420
filing of what required before issuance	5359	qualifications requisite to	421

INDEX.

	Section.		Section.
ATTORNEYS.—Continued.		AUCTIONEERS.—Continued.	
appeal from judgment revoking license	437	authority from bidder	4352
appointment for indigent defendant	8407	seller, from	4351
authority of, proof of	430	business, place of, only one	7370
deceit, punishment for	428	fraud committed by	7376
deceiving court, misdemeanor, when	7022	selling damaged goods	7373
defending, when partner prosecutes,		sales, daytime, must be in	7374
misdemeanor	7657	place of business, at other than	7371
defense, may conduct his own, when	7659	place, at unauthorized, punishment	7372
demand, buying to prosecute	7013	AUDITOR.	
payment, may receive in, when	7012	city, (See <i>Cities</i> .)	
demand in suit, buying, misdemeanor	7008	county, (See <i>County Auditor</i> .)	
loaning on, forfeits office	7011	state, (See <i>State Auditor</i> .)	
misdemeanor	7010	AVERAGE, GENERAL.	
duties	427	(See <i>Jettison</i> .)	
embezzlement, guilty of, when	7464	BAGGAGE.	
examination for admission, rules regu-		carriage, duties as to	4232
lating	425	defined	4233
fees (See <i>Court, Justices'</i>)		delivery, time of	4235
agreement, left to	5574	liability for	4234
foreclosure of mortgage or lien, on	5577	lien on	4241
license, revocation or suspension, causes		risk of passenger, at, when	4235
for	433	BAIL.	
revocation, charges to be served	432	action on undertaking of	8459
revoked by what courts	432	additional security required, when	8458
lien, attaches to what	4842	admission to, what is	8443
released by bond, how	4843	discretionary, notice to state's attor-	
money, refusal to pay over, misde-		ney	8452
meanor	438	admitted in capital cases, when	8446
refusal to pay over, not liable,		appeal, on, order admitting to	8455
when	439, 440	qualifications	8455
name, permitting use of, misdemeanor,		taken when	8447
when	7023	conviction, after, in what cases	8447, 8448
nonresident, may practice, when	426	before, for appearance	8448
oath of office	423	defendant may be arrested by	8456
powers	429	defined (civil)	4623
removal or suspension, acquittal, judg-		deposit for, with clerk	8451
ment of court final	437	exonerated by defendant's insanity,	
answer to accusation	435	when	8404
judgment of	436	forfeited by nonappearance	8282
procedure	434	procedure	8457
right to visit person accused of crime	7904	given, defendant must be discharged	
surety, not to be	431		7901, 8450
ATTORNTMENT.		justification of	8449
tenants, of, unnecessary	3543	misdemeanor, on, duty of magistrate	7900
AUCTION.		duty of officer	7908
(See <i>Agency, 4351-4352</i> .)		officers who may take	8445, 8453
(See <i>Sale, 3989-3995</i> .)		personating another, becoming by,	
mock, penalty for holding	7493	punishment	7485
AUCTIONEERS.		place of trial changed, required, when	8115
account, failure to render	7375	qualifications	8449

INDEX.

	Section.		Section.
BAIL. —Continued.		BARRATRY.—Continued.	
surety on undertaking, discharged,		misdemeanor.....	7005
when.....	8460	proof required in.....	7006
taken, must be, when.....	8445	BASTARD.	
taking of, consists of what.....	8444	birth of, concealing.....	7179
undertaking of, form.....	8454	death of, concealing.....	7179, 7697
waives preliminary examination when	7911	BASTARDY.	
warrant, bench, amount fixed by court,		complaint for, form of.....	7839
when.....	8069	county commissioners may prosecute,	
amount, increased, required when..	8073	when.....	7850
required, procedure.....	8074	defendant, adjudged guilty, when....	7847
taken how.....	8072	arrested, released how.....	7841
BAILIFFS.		release from imprisonment on under-	
appointment.....	2106	taking.....	7844
compensation.....	2106	deposit in lieu of undertaking.....	7856
misconduct as to jurors, punishment...	6943	execution issues when.....	7849
BAILMENT.		exemptions, absolute, only allowed....	7849
(See <i>Deposit, Loan, Hiring, Carriage.</i>)		imprisonment for, limited.....	7848
BANKER.		judgment, contents, docketing, etc....	7847
embezzlement, guilty of, when.....	7464	laws, other, applicable.....	7852
lien of.....	4837	limitation for commencing proceedings	7851
BANK NOTES.		proceedings in, how commenced.....	7839
negotiable after payment.....	4966	entitled how.....	7839
pledge of, punishment.....	7520	prosecution conducted by state's attor-	
sale of, punishment.....	7520	ney.....	7853
title by transfer before and after dis-		title of proceedings.....	7839
honor equal.....	4967	trial, by court, unless jury demanded..	7846
mode of, issue, notice of trial.....		taken by magistrate.....	7842
BANKRUPT STOCKS.		undertaking, action on.....	7854
assessment.....	1340	conditions.....	7842
equalization.....	1341	judgment on.....	7854
duty of city council.....	1341	summary, notice.....	7855
BANKS.		releases defendant.....	7844
bank notes, unlawful issue of, punish-		taken by magistrate.....	7842
ment.....	7521	warrant, execution of.....	7840
deposit, receiving by insolvent, punish-		form.....	7840
ment.....	7524	return of, undertaking.....	7843
guarantee, unlawful, misdemeanor....	7522	BATTERY.	
indorsement, unlawful, misdemeanor..	7522	assault and, dangerous weapons, with	7145
loans, unlawful, by directors, misde-		punishment for.....	7145
meanor.....	7518	defined.....	7142
directors, by, valid.....	7519	felony, with intent to commit.....	7127
national, stock listed for taxation,		maiming, in, conviction for, when....	7108
how.....	1184, 1185	BAWDY HOUSE.	
officer of, overdrawing account, misde-		keeping, etc., misdemeanor.....	7210
meanor.....	7523	letting house for.....	7212
state, examination by state examiner..	141	BELIEF.	
BARRATRY.		(See <i>Religious Belief.</i>)	
defined.....	7004	BENCH WARRANT.	
defense, accused interested, not.....	7007	(See <i>Warrants.</i>)	

INDEX.

	<i>Section.</i>		<i>Section.</i>
BENEFICIARY.		BILLS OF EXCHANGE.—Continued.	
(See <i>Trusts.</i>)		defined ...	4914
BENEFIT.		delay in presentment, effect of	4941, 4942
person taking must bear burden ..	3865, 5083	dishonor, notice of, acceptance for honor	
BEQUEST.		does not excuse	4938
(See <i>Wills.</i>)		bills accepted for honor, mode of....	4937
BETTING.		drawee, additional in case of need	4915
elections, on, misdemeanor	6857	drawer, rights same as first indorser ...	4920
prize fight, on, misdemeanor	7349	foreign, defined	4946
BIAS.		dishonor, notice of, given only by	
(See <i>Jury.</i>)		protest	4947
BIBLE.		notice the same as inland bills,	
apprentice to receive at end of term...	2838	when	4954
read in schools without comment.....	754	requisites entitling payer for honor to	
sectarian book, not.....	754	reimbursement	4955
BIDDER.		grace, days of, not allowed	4921
highest, defined, corporate stock.....	2928	inland, defined	4946
tax sale.....	1257	maturity, apparent, if payable at sight	
BIGAMY.		or on demand.....	4891
acts not constituting.....	7182	parts, may be drawn in	4916
defined.....	7181	presentment, etc., of one sufficient..	4918
marriage, proof of, what sufficient....	8215	payer for honor entitled to reimburse-	
unlawful, defined.....	7184	ment.....	4936
punishment for	7183	payment, place of	4919
BILL.		payment for honor, holder bound to	
altering draft of, misdemeanor.....	6924	allow.....	4935
engrossed copy of, misdemeanor.....	6925	presentment for acceptance, drawee in	
BILLS OF EXCHANGE.		need, to, not dishonored without..	4925
agreement to execute, binds drawer to		excused as to drawer by what.....	4945
what	4917	others, as to, if refused by one	
acceptance, admission of what and what		joint drawee.....	4924
not	4933	incapacity of drawee, by.....	4943
canceled, may be when	4932	unavoidable, by the.....	4944
made how.....	4927	mode of making.....	4923
promise in writing, unconditional, is		parties exonerated by failure in, when	4926
sufficient, when	4931	refusal to accept, dishonors.....	4922
qualified, may be treated as dishon-		time of.....	4922
ored	4928	presentment for payment, bills accepted	
separate instrument, by, binding,		for honor, mode of.....	4937
when.....	4930	delay in, exonerates, when.....	4941
sufficient, what is.....	4929	exonerates parties, when not.....	4942
writing, must be in.....	4927	excused as to drawer, by what.....	4945
acceptance for honor, holder not bound		place of, if bill unaccepted.....	4939
to allow.....	4935	place, at, specified in acceptance....	4940
acceptance or payment for honor au-		presumption of dishonor made when ...	4890
thorized, when.....	4934	protest excused by what	4952
made how, notice of.....	4936	form	4949
damages, foreign bills, dishonor of, for	4958	made by whom.....	4948
estimated how in different money...	4958	noted, must be, when.....	4951
rates of	4957	notice of, how given.....	4953
		place of making.....	4950
		BILL OF LADING.	
		canceled on delivery of goods	7545

INDEX.

	<i>Section.</i>		<i>Section.</i>
BILL OF LADING.—Continued.		BLIND ASYLUM.—Continued.	
carrier's obligations not altered by....	4201	board of trustees, organization and quo-	
correspond to contents of package, must	7542	rum.....	969
defined.....	4198	powers, generally.....	972
delivery to holder of, exonerates carrier	4203	reports.....	973
destroying or suppressing, misdemeanor	7268	funds, appropriation of.....	971
duplicate to correspond with contents		governed by board of trustees.....	967
of package.....	7543	land grant, proceeds of appropriated...	971
false, delivery, punishment.....	7540	location.....	967
fraudulent, or, making, punishable		storekeeper, duties.....	317
how.....	7497	treasurer.....	310
issuing, punishment.....	7541		
signing or delivering.....	7377	BOARDING HOUSE KEEPERS.	
negotiable.....	4199	(See <i>Innkeepers.</i>)	
sale of goods without consent of holder		BOARD OF AGRICULTURE.	
punished, how.....	7544, 7546	compensation, mileage.....	167
sets of bills given on demand.....	4202	constituted how, appointment, term...	156
surrender required before delivering		expositions, annual.....	158
freight.....	4204	meetings, election of officers.....	162
transferred by delivery, if to bearer....	4200	office at Grand Forks.....	159
(See <i>Carriers of Property, 4198-4204.</i>)		police, special, may appoint, when....	165
BILL OF PARTICULARS.		powers.....	166
(See <i>Accounts, 5282.</i>)		premiums.....	161
BILL OF SALE.		property under its control.....	159
record of.....	1952	real property belonging to.....	157
reserving title, must be filed.....	4732	report, annual, to governor.....	168
BINDING TWINE.		rules and regulations, may make.....	160
(See <i>Bounties, 1679, 1680.</i>)		secretary, compensation, duties.....	163
BIRDS.		treasurer, duties, bond, compensation	164
nests, destroying, punishment for....	7677	BOARD OF DENTAL EXAMINERS.	
trapping in cemetery.....	7564	certificate, may revoke.....	295
song, killing, punishment for.....	7677	dentistry, practicing, defined.....	297
wounding in cemetery.....	7564	examinations, qualification of appli-	
BLACK LIST.		cants.....	296
exchange of, misdemeanor, when.....	7042	fees for examinations and registration	298
BLACK MAILING.		licenses, may revoke.....	295
(See <i>Extortion.</i>)		meetings.....	294
BLASPHEMY.		members, appointment, vacancies....	293
defined.....	6829	persons, who are.....	293
discussion, serious, not.....	6830	officers.....	294
misdemeanor.....	6831	penal provisions as to practitioners..	299-301
prosecution for, time limited.....	6854	records, evidence.....	294
BLIND ASYLUM.		registration, certificate of, fees for...	295
accounting officer.....	309 313	report to governor.....	298
accounts, method of keeping, (See <i>State</i>		salaries of members.....	298
<i>Institutions.</i>).....	309-321	testimony, officers may take.....	294
board of trustees, appointment.....	968	BOARD OF STATE AUDITORS.	
compensation.....	970	composed how, duties of members....	236
meetings.....	970	BOARDS OF EQUALIZATION.	
		city, meetings of.....	1211
		duties and powers of.....	1211

INDEX.

	Section.
BOARDS OF EQUALIZATION.—	
<i>Continued.</i>	
county, duties.....	1213
errors, may correct.....	1214
meetings.....	1213
members, who are.....	1213
penalties, may remit, when.....	1214
powers.....	1213
state, assess property at true value....	1216
assessment roll of counties, equalize	1216
duties.....	1216
meetings.....	1216
members, who are.....	1216
powers.....	1216
rate of state tax, to determine.....	1220
rules governing.....	1216
tax levy, make.....	1220
township, duties.....	1211
meetings.....	1211
notice of equalization, how given....	1212
powers.....	1211
village, duties.....	1211
meetings.....	1211
powers.....	1211

(See *Taxes.*)

BOARDS OF HEALTH.	
boards heretofore established not af-	253
fectcd.....	
city, duties.....	256
health officer, qualifications, duty,	
salary.....	255
members, who are.....	254
powers.....	256
county, appointment.....	245
expenses, how paid.....	248
meetings, time, place.....	247
members, persons who are.....	245
qualifications, term.....	245
officers, compensation.....	250
duties.....	246
powers.....	248
superintendent, powers and duties..	249
vacancies, how filled.....	252
local, city and county boards known as	256
clothing, infected may be destroyed by	272
dead, permit for removal.....	266
diseases to be reported to.....	263-265
employment of persons authorized by	273
hospital temporarily established....	271
nuisances, may abate.....	259-262
orders to be published.....	258
physicians to report to.....	263, 264
quarantine, duty to establish.....	270

	Section.
BOARDS OF HEALTH.—Continued.	
local, regulations to be published.....	258
removal of sick or dead with permit	
from.....	266
sanitary regulations, to make.....	257
sick, removal of, with permit.....	266
violations of orders, misdemeanor....	257
state, duties.....	243
meetings.....	242
members, appointment, qualifica-	
tions, term.....	240
persons who are.....	240
officers, compensation.....	244
duties.....	241
records open to inspection.....	241
superintendent to make report.....	251
vacancies in, how filled.....	252
townships, (See <i>Townships.</i>).....	2581-2590
violation of health laws, penalty.....	274

BOARD OF MEDICAL EXAMINERS.	
appointment, qualifications.....	275
examinations, how conducted.....	277
fee for examination.....	277
licenses, when revoked.....	277
meetings, officers, records.....	276

BOARD OF PHARMACY.	
certificates, cancellation of, hearing...	285
examinations by.....	285
fees for examination.....	287
registration, for.....	289
meetings.....	285
members, appointment, vacancies....	284
officers, duties.....	285
pharmacists, assistant, registry of, fees	288
registration.....	285
renewal of.....	291
report to governor.....	285, 290
salaries of members and secretary....	290
secretary, bond.....	290

BOARD OF TRUSTEES OF PUBLIC PROPERTY.	
members, who are, duties.....	154
report to legislative assembly.....	155
supplies for state offices, to furnish....	338

BOARD OF UNIVERSITY AND SCHOOL LANDS.	
appraisal, new, ordered when.....	195
commissioner of, appointment, bond..	170
custodian of abstracts and convey-	
ances.....	214
duties.....	182

INDEX.

	<i>Section.</i>		<i>Section.</i>
BOARD OF UNIVERSITY AND SCHOOL LANDS.—Continued.		BONDS.—City.—Continued.	
commissioner of, leases of lands, to conduct	221	internal improvements, certificate of debt limit necessary	2057
term, vacancy	179	denominations	2309
contract for sale of land	191	executed, how and by whom	2311
county board of appraisers, duties	183	interest, rate of, payable when	2309
deputy commissioner, oath, bond	181	payable when	2309
expenses, appropriation for	235	proceeds kept and used, how	2310
incidental, how paid	177	sale of	2309
hay on lands, permit to cut	228	refunding, authorized when	2476
lands, agents appointed for leasing ..	228	certificate of debt limit necessary ..	2057
investment of school funds, manner of	172	denominations	2477
lands certified for sale	184	executed how	2477
subdivided when	194	interest on	2477
lease of lands, advertisement for	220	issued when	2478
confirmation of and contracts for ..	224	negotiable	2482
selection of lands for	219	record of, made how	2479
list of lands sold to be furnished county		sale of, manner	2478
treasurers	212	tax for interest and sinking fund	2480
members, who are	169	treasurer, duty of	2481
meetings, quorum	171	refunding school indebtedness, author-	
officers	169	ized when	2483
powers	170	canceled and destroyed, how	2486
property unlawfully severed, seizure of	231	certificate of debt limit necessary ..	2057
records to be kept by	173	denominations	2484
salary of commissioner	180	executed, how and by whom	2486
school funds, manner of investment	172	interest	2484
subject to order of	174	interest, tax levied to pay	2485
secretary, duties of, records kept by ..	173	interest fund, created how and by	
surveys, may order when	183	whom	2487
BODY.		issue, conditions precedent to	2486
	<i>(See Dead Body.)</i>	issued, when and how	2483
BONDS, MUNICIPAL.		principal and interest, how paid	2486
Any Municipal Corporation.		register of, made and kept by whom	2486
election for	2475	sinking fund, tax levied to create ..	2485
special, called when and how	2475	tax to pay, collected how	2485
conducted how	2475	sewerage, authorized, when	2321
indebtedness, for what incurred	2474	certificate of debt limit necessary ..	2057
limit of	2474	executed how	2321
issued how	2475	interest, payment of	2325
notice of election, contents of	2475	rate of	2321
		tax levied to pay	2322
		issue, limitation on	2321
		issued by whom and for what purpose	2321
		payment, time of	2321
		sinking fund, investment of	2324
		tax levied to create	2322
		County.	
bridges over rivers authorized by vote	1094	buildings, for, authorized when	2043
certificate of debt limit necessary ..	2057	certificate of debt limit necessary ..	2057
debt limit not to be exceeded	1094	denominations	2048
interest, rate of, payable, when	1094	election for	2045
notice, time of	1094		
proceedings, when debt limit exceeded	1094		
term for which to run	1094		
internal improvements, authorized,			
when	2308		

INDEX.

	<i>Section.</i>		<i>Section.</i>
BONDS.—County.—Continued.		BONDS.—School District.—Continued.	
buildings, election for, unnecessary, to		special district, interest coupons paid	
fund warrants, when.....	2056	when due	821
funding warrants, issued for.....	2055	limit of issue.....	818
issuance, mode of.....	2048	refunding, authorized.....	824
limit of issue.....	2044	exchanged, may be.....	825
negotiable.....	2054	restrictions on issue.....	824, 826
payment at maturity.....	2052	surplus, how disposed of.....	827
proceeds	2050	sinking fund, investment of.....	820
registration	2053	tax levied for sinking fund.....	819
sale, notice of.....	2049		
tax levy, for.....	2051	State.	
refunding, authorized, when	2035	invalid, unless registered.....	114
certificate of debt limit necessary... 2057		registration vests ownership.....	115
commission allowed treasurer... 2041, 2050		registry of.....	114
exchange or sale of.....	2038		
interest, rate of.....	2037	Township.	
issuance, mode of.....	2037	certificate of debt limit necessary.....	2057
negotiable, deemed, when	2042	interest, rate of.....	2657
payment by treasurer at maturity... 2040		issuance, election for.....	2657
tax levied for.....	2039	negotiated at not less than par.....	2658
		tax levied for payment of.....	2659
		refunding, authorized, when.....	2660
Drainage.		certificate of debt limit necessary... 2057	
certificate of debt limit, necessary.... 2057		denominations and form of.....	2661
interest, rate of.....	1474	issuance of, determined how.....	2661
issued how.....	1474	payment and cancellation.....	2664
negotiated how.....	1474	record of, to be kept.....	2662
payment of, tax for	1474	tax levied to pay.....	2663
School District.		BONDS, OFFICIAL.	
school buildings, for, authorized.....	775	administrators	6347, 6352
cancellation	782	amount of, when not otherwise provided	343
certificate to, by county auditor.....	778	approval by whom made.....	342
certificate of debt limit necessary... 2057		indorsed on bond	351
denominations.....	777	re-elected officers	357
election for, notice of.....	776	attorney general.....	343
interest	777	clerk, supreme court.....	381
issuance of, mode.....	775	commissioner of agriculture and labor	343
limit of issue	777	insurance	343
negotiated how.....	780	railroads	3005
sinking fund to be provided.....	779	county auditor.....	343
tax levy made for, by county auditor,		clerk of district court.....	343
when	781	constables.....	343
independent district, by, authorized,		coroner.....	343
when	842	judge of county court.....	343
certificate of debt limit necessary... 2057		justices of the peace	343
refunding, authorized.....	824	register of deeds.....	343
exchanged, may be	825	sheriff	343
restrictions on issue	824, 826	state's attorney.....	343
surplus, how disposed of.....	827	treasurer.....	343
special district, by, authorized, when . 816		additional.....	344, 1316
certificate of debt limit necessary... 2057		executors	6347, 6352
contents	818	guardians.....	6347, 6352
election for issuing, notice, etc.....	817	insurance company, may be sole surety	3115

INDEX.

	<i>Section.</i>		<i>Section.</i>
BONDS, OFFICIAL.—Continued.		BOTTOMRY.—Continued.	
invalidated, not, by what.....	356	recovery in case of loss.....	4778
notary public.....	343, 464	shipmaster, freightage, hypothecation	
officers required to give.....	340	of.....	4774
record of county officers.....	352	ship, hypothecation of, when only...	4773
state and district officers.....	352	hypothecation of, for what only...	4772
reporter, supreme court.....	390	shipowner may hypothecate ship and	
run to whom.....	342	freightage for what.....	4771
secretary of state.....	97	stipulation imposing other than mari-	
school district officers, duty of county		time risks void.....	4777
auditor.....	346		
superintendent of public instruction...	343	BOUNTIES.	
sureties, number required.....	349	binding twine, amount allowed.....	1680
state auditor.....	107	persons entitled to.....	1679
examiner.....	146	report to commissioner of agriculture	
treasurer.....	118	and labor.....	1680
subsequent laws, duties required by,		time for which allowed.....	1680
covered.....	356	spinning fibers, amount allowed.....	1676
time given to supply sufficient.....	351	commission to inspect, appointment	1677
township officers, appropriation for		inspection, certificate of.....	1677
filing.....	348	samples, of, by whom.....	1677
duty of county auditor.....	346	paid how.....	1676
		persons entitled to.....	1675
BONDS ON PUBLIC IMPROVE-		rules and regulations of commission	1678
MENTS.		time for which allowed.....	1676
action on, who may bring.....	4804	starch, amount allowed.....	1682
execution and approval.....	4803	persons entitled to.....	1681
filed where.....	4804	report to commissioner of agriculture	
public officers to take from contractors	4802	and labor.....	1682
		time for which allowed.....	1682
BOOKS.		wolves, killing, affidavit of claimant...	1567
destruction of, fraudulent.....	7526	retained by auditor.....	1568
refusing to surrender.....	6916	amount allowed.....	1566
		paid by whom.....	1568
BOOMS.		scalp destroyed, how and by whom..	1568
interfering with, etc.....	7576	produced by claimant, to be.....	1567
		BRANDS.	
BORROWER.		(See <i>Marks and Brands.</i>)	
(See <i>Loan for Exchange and Loan</i>		dies, keeping to counterfeit.....	7257
<i>for Use.</i>)		effacing upon estrays or lost goods...	7665
BOTTLES.		BRIBERY.	
keeping with intent to refill.....	7265	assessor, of.....	6935
refilling or selling.....	7264	receiving bribe.....	6937
BOTTOMRY.		bribe defined.....	7718
contract enforceable, though unauthor-		elector, of.....	6855, 6856
ized.....	4776	juror, of.....	6935
defined.....	4770	bribe, receiving.....	6937
interest higher than legal rate permit-		gift, receiving.....	6939
ted.....	4775	member of legislative assembly, what is	6929
latest bottomry lien preferred.....	4782	officers, election.....	6889
lien independent of possession.....	4780	executive.....	6903
lost by delay in enforcing.....	4780	bribe, asking.....	6904
loan due, when.....	4779	receiving.....	6904
preferred to all liens, except what.....	4781		

INDEX.

	<i>Section.</i>		<i>Section.</i>
BRIBERY.—Continued.		BURGLARY.—Continued.	
officers, judicial.....	6935	degrees, first, defined.....	7401
bribe, receiving.....	6936	second, defined.....	7402-7404
gift, receiving.....	6939	third, defined.....	7405, 7406
referees.....	6936	fourth, defined.....	7407, 7408
bribe, receiving.....	6937	dwelling house defined.....	7412
gift, receiving.....	6939	entering unlawfully, if not burglary, is	
witnesses.....	6983, 6984	misdemeanor.....	7411
BRIDGES.		implements, burglar's, having in possession.....	7410
bids for constructing.....	1088	nighttime defined.....	7413
cattle, driving on, punishment.....	1161	punishment for.....	7409
city, funds to be turned over to by		BURIAL.	
county, when.....	2500	charges, paid by preference.....	6394
construction paid, how.....	1089	duty of.....	7189
fast driving on, conviction for.....	1164	devolves upon whom.....	7195
fine, none, unless notice posted.....	1165	limb or member, dead.....	7194
punishment for.....	1162	lot, inalienable.....	3198
warrant for.....	1163	neglect of.....	7196
highway, part of.....	1091	place of, unlawful interference with... ..	7200
notices on, required, when.....	1160	regulations as to.....	269
petition for.....	1088	remains after dissection.....	7193
railroad, over highways, requisites of..	2956	removal to another cemetery.....	7201
repair, to be kept in good.....	2974	right of, easement.....	3351, 3352
repairs of, estimated by whom.....	1090	right to transport body to other states	7190
paid, when by county, when by town-		soldiers and sailors.....	1812-1816
ship.....	1090		(See <i>Dead Body.</i>)
rivers, over navigable, bonds for....	1094	BUTTER.	
built how.....	1092	patent (See <i>Dairy Products.</i>).....	7639-7648
cost limited.....	1095	BUTTERINE.	
county aid, conditions for.....	1093		(See <i>Dairy Products, 7639-7648.</i>)
petition for.....	1092	CALENDAR.	
supervision, by whom.....	1090	county court, judge prepares, when....	6590
toll, refusing to pay, punishment.....	1166	order of entering cases on.....	6590
BUILDINGS.		district court, clerk to enter cases on,	
defined.....	7383	when.....	5422
destroying with explosives.....	7567	municipal court, clerk, to make.....	2224
entering unlawfully.....	7411	supreme court, causes entitled to preference.....	5172
farm, injury to, punishment.....	7589-7592	causes stand over, when.....	5171
fixture, is.....	3272, 3492	CANCELLATION OF INSTRUMENTS.	
gambling, keeping for.....	7237	adjudged, when.....	5041
inhabitable, defined... ..	7384	bill of exchange, acceptance of, permitted, when.....	4932
letting for lottery.....	7229	contract, of, by consent of parties, extinguishes.....	3937
unlawful purpose, for.....	7212	party entitled to benefit, by, extinguishes.....	3938
public, injuring, punishment.....	7379	grant, of, does not re-vest title.....	3519
BUILDING AND LOAN ASSOCIATIONS.		partial, allowed when.....	5042
(See <i>Corporations, Building and Loan, 3203-3225.</i>)			
BUOY.			
removing from Missouri River.....	7579		
BURGLARY.			
breaking inner door.....	7403		

INDEX.

	<i>Section.</i>		<i>Section.</i>
CARE.		CARRIERS, COMMON.—Continued.	
borrower for use, great	4043	Of Persons.	
carrier of messages for reward, great..	4223	fare demandable, when	4239
carrier of persons, ordinary ...	4180	luggage, carriage, duties as to	4232
hire, for, utmost	4181	defined	4233
carrier of property, for reward, ordi-		delivery, time of	4235
nary	4187	liability for	4234
reward, without, slight	4187	lien on	4241
degrees of, defined	5109	risk of passenger, at, when	4235
named	5110	passengers, ejection of	4240
depository for hire, ordinary	4025	reward, for, care and diligence, utmost	
gratuitous, slight	4022	required	4181
employee for his own benefit, great....	4102	passengers, attention and treatment	4184
gratuitous, slight	4098	travel at reasonable speed, must	4185
reward, for, ordinary	4101	vehicle, overload, must not	4183
hirer of a thing, ordinary	4072	owner of, liable for acts of driver..	1159
trustee, ordinary	4284	safe, must provide	4182
CARRIAGE IN GENERAL.		reward, without, care and diligence,	
classes defined	4176	ordinary	4180
classified	4175	rules governing conduct of business...	4238
contract for, defined	4174	seats, must provide passengers with...	4237
CARRIERS, COMMON.		vehicle, overload, must not	4237
General Provisions.		sufficient, must provide	4236
accept and carry, must	4225	Of Property.	
carry, may refuse to, when	4228	bill of lading, carrier's obligation not	
compensation	4228	altered by	4201
damages for breach of duty, treble....	3040	defined	4198
defined	4224	delivery to holder of, exonerates car-	
embezzlement, guilty of, when	7463	rier	4203
insurable interest, have in what	4452	false, issuing, punishment	7540
liability, exoneration from, limited....	4230	negotiable	4199
obligations limited only by special con-		sets of, given on demand	4202
tract	4229	surrender required before delivery of	
modify, right to, restricted	4231	freight	4204
preference to United States and state..	4226	transferred by delivery, if to bearer..	4200
property deemed where for purpose of		consignee defined	4186
mortgaging	4735	consignor defined	4186
reward, without, carriage, must com-		damages, measure of, accept, refusal	
plete, when	4179	to, for	4992
rules governing... ..	4178	delivery, for delay in	4994
start, must at time announced	4227	neglect to make, for	4993
Of Messages.		delay, liable for, when	4244
damages for postponing carriage	4253	delivery, consignee, made to, when ...	4191
messages, telegraph, order of transmis-		failure in, makes carrier warehouse-	
sion	4251	man	4193
telegraph, other than, order	4252	place of, if no usage	4192
reward, for, care in transmission, great	4223	property, of, to other carriers	4248
delivery, duties as to	4222	directions conflicting, duty	4189
telegraph, by, utmost diligence required	4223	obey, must	4188
		exoneration by delivery to other carriers	4248
		loss of freight, for	4249
		freight defined	4186

INDEX.

	<i>Section.</i>		<i>Section.</i>
CARRIERS, COMMON.—Continued.		CERTIORARI.—Continued.	
freight, exoneration for loss of.....	4249	directed to whom.....	6100
notice of arrival, to give, when.....	4193	granted, when, by whom.....	6098
freightage, advance, may be required in	4205	hearing.....	6107
apportionment, accepted in part....	4210	impeachment of record, how.....	6107
payment accordingly.....	4209	issued and heard in vacation.....	6127
place short of destination, at....	4211	officer whose term has expired, to ...	6102
carrying further, etc., no extra.....	4212	judgment, copy of, sent below.....	6108
consignee liable for, when.....	4207	roll.....	6109
consignor liable for, exception.....	4206	jurisdiction of supreme court in.....	5165
defined.....	4186	new trials regulated how.....	6129
increase, natural, none on.....	4208	practice, law governing.....	6128
lien for.....	4213	proofs, other permitted, when.....	6104
liability, may terminate by storage....	4194	record may be impeached, how.....	6107
lien for carriage.....	4835	return, further, ordered.....	6107
marine, deviation.....	4190	review, extent of.....	6106
freight, stowing on deck.....	4190	service, mode of.....	6105
liable when.....	4245	stay of proceedings discretionary.....	6103
perils of sea defined.....	4246	writ, requisites of.....	6101
property, liable for when.....	4242	CHALLENGE.	
negligence in carriage, liable for....	4243	acts constituting, to prize fights.....	7350
perishable, sold when.....	4196	duel, attempts to induce.....	7136
unclaimed, sold for charges.....	4195	duel, to, defined.....	7135
reward, for, care, ordinary required...	4187	punishment.....	7134
reward, without, care, slight required..	4187	grand juror acting after allowed.....	7016
services other than carriage, rules gov-	4250	grand jury, to, when.....	7990
erning.....		prize fight, to.....	7349
storage terminates liability.....	4194	(See <i>Jury</i> .)	
valuables, liability limited, exception..	4247	CHANGE OF NAMES.	
CAUCUSES.		actions pending not affected by.....	6152
voting at, unlawful, when.....	6898	authorized by court.....	6149
CAUSE OF ACTION.		city, town or village, petition, contents	6151
complaint must show.....	5266	costs.....	6152
joinder of.....	5291	persons, hearing of petition.....	6150
misjoinder of, ground for demurrer....	5268	petition, contents.....	6150
several may be joined.....	5291	CHATTEL INTERESTS.	
stated separately, to be.....	5291	defined.....	3329
CEMETERY.		CHATTEL MORTGAGES.	
birds, wounding or trapping in.....	7564	(See <i>Mortgages, Personal Property</i> .)	
tombs, etc., defacing.....	7204	CHATELS, REAL.	
(See <i>Corporations, Cemetery</i> .)		defined.....	3329
CERTIFICATE.		CHEATING.	
false, public officer, delivering.....	7036	(See <i>False Personations and Cheats, 7485-</i>	
marriage, failure to return.....	7273	<i>7493</i> .)	
CERTIFICATE OF DEPOSIT.		CHECKS.	
title by transfer before and after dis-		days of grace, none.....	4965
honor, equal.....	4967	defined.....	4964
CERTIORARI.		delay in presentment, effect of.....	4965
appeals regulated, how.....	6129	false token when.....	7492
application for, how made.....	6099	governed by what law.....	4965

INDEX.

	Section.		Section.
CHECKS.—Continued.		CHILDREN.—Continued.	
indorsee, title of.....	4965	posthumous, future interest, take how	3297
negotiable.....	4861	property, parent as such has no control	2783
use of worthless, false pretense.....	7492	residence, parent may change.....	2794
CHEESE.		services after majority, no compensa-	
(See <i>Dairy Products</i> , 7639-7642.)		tion, when.....	2791
CHIEF CLERK OF THE HOUSE.		stealing of, defined, punishment.....	7180
certificate of election, to file.....	21	substituting, misdemeanor, when.....	7026
roll of members, to make.....	21	support, action for.....	2786
CHILDREN.		allowance out of their property for..	2782
abandonment and neglect of.....	7172	legitimate, mother assists in, when..	2779
parent, by, punishment.....	7174	majority, after, no compensation,	
abduction of, forbidden.....	2718	when.....	2791
abuse of parental authority.....	2784	parents not liable for, when.....	2789
acts of, parent not answerable for....	2795	poor, child must.....	2787
adopted, freed from obligation to parent	2805	persons who must furnish.....	2779
status of.....	2804	relative cannot recover compensation	
adoption, (See <i>Adoption</i> .).....	2797-2806	for, when.....	2789
birth of, pretense to, misdemeanor....	7025	term, includes by birth and adoption..	5112
crime, incapable of, when.....	6814	unborn, rights of.....	2700
custody, divorce actions, in and after..	2760	wages paid to them, when.....	2793
illegitimate, belongs to mother.....	2781	wife's by former husband, services....	2790
marriage annulled, after.....	2734	support of.....	2790
parents, mutual right of, to.....	2796	will, omitted from, take by succession	3674
separated.....	2796	unprovided for in, take by succes-	
person entitled to.....	2780	sion.....	3673
transfer of.....	2780	CHOSE IN ACTION.	
defined as to chapter on obscene litera-		(See <i>Thing in Action</i> .)	
ture.....	7216	CHURCHES.	
dominion of parents, when freed from..	2784	injuring, punishment.....	7566
earnings, illegitimate, of, belong to		(See <i>Corporations, Religious, Etc.</i>)	
mother.....	2781	CIGARETTES.	
parent may relinquish.....	2792	adulterated, selling, etc., penalty.....	7337
person entitled to.....	2780	sale to minors prohibited.....	7338
illegitimate become legitimate, when..	2806	CITATION.	
succession from, who takes by.....	3745	(See <i>Estates of Decedents</i> .)	
take by.....	3744	CITIES.	
labor prohibited during school hours	762-764	aldermen, classified how.....	2254
legitimacy, born after marriage dissolved	2777	compensation.....	2165
born before wedlock.....	2777	inspector of elections, determined by	
divorced parents.....	2751, 2752	lot.....	483
marriage annulled.....	2733	appoint others, when.....	483
presumed, if born in wedlock.....	2776	jurors, to make selection of.....	447
presumption of, who may dispute...	2778	number.....	2133
necessaries furnished by third person,		qualifications.....	2136
recovery for.....	2788	records of officers, to examine.....	307
parent abandoning, punishment.....	174	senior, inspector of elections.....	483
provide for, neglect to.....	7173	term of.....	2134
posthumous, deemed living at death of		vacancy, how filled.....	2135
parents.....	3757	assessor, appointment of.....	2185
future contingent interest defeated by	3318		

INDEX.

<i>CITIES.—Continued.</i>	<i>Section.</i>	<i>CITIES.—Continued.</i>	<i>Section.</i>
assessor , blanks, to provide at city expense	308	council , reports of committees deferred	
deputy, may appoint.....	370	when	2145
bond	370	tax for interest and sinking fund.....	2480
responsible for acts of	370	vote, rescinding of.....	2144
duties of.....	2184	damages , claim must be presented for	
assessment , roll open to inspection....	2185	audit	2172-2174
sidewalks, special, for.....	2491	elections , clerks of, oath and duties... ..	2255
waterworks, for.....	2312-2314	districts and precincts.....	2252
attorney , duties	2175	judges, oaths and duties.....	2255
municipal court, in.....	2220	notice of	2251
auditor , accounts.....	2170	officers elect notified by auditor.....	2257
assessment roll, to deliver to county		returns canvassed by council.....	2255
auditor.....	2189	tie vote, how decided	2256
blanks, to provide at city expense... ..	308	time and place of.....	2251
duties.....	2168-2170	vacancy created by failure to qualify	
jurors, to record names of, etc....	447, 448	filled by special.....	2258
notice of apportionment, to post... ..	446	voters, qualifications of.....	2253
oaths, may administer.....	2167	registration of.....	2253
orders countersigned by.....	2168	engineer , duties and compensation of.. ..	2248
reports by, to council.....	2169	qualifications.....	2248
board of audit , claims for damages examined by	2172-2174	finance , appropriation, annual, how	
powers and duties.....	2171-2174	made	2262
board of equalization , duties of... ..	2187, 2188	appropriation must be made before	
failure to meet does not invalidate		contract.....	2264
tax	2189	special for improvement.....	2263
meeting of.....	2186	fiscal year begins when.....	2261
bridge funds to be turned over to, when	2500	fines and licenses paid to treasurer..	2150
charter powers , how enforced.....	2333	fines, etc., for offenses, how disposed	
clerk , jurors, notice of apportionment,		of.....	2336
to post.....	446	fire department , insurance tax for	2462-2466
record names, etc., to.....	447, 448	funds paid out by treasurer.....	2177
contracts , bonds, etc., how signed....	2311	incorporation , authorized.....	2339
officers not to be interested in.....	2337	election for.....	2108
corporate limits , extension of.....	2327-2332	ballot, result.....	2110
extension or restriction.....	2437-2442	notice of.....	2109
corporate name	2112	record of result.....	2114
council , composed of whom.....	2132	general law, under.....	2108
jurisdiction outside city limits, when	2146	judicial notice, of taken.....	2111
jurors, to select.....	447	rights of old vest in new.....	2113
mayor presides at meetings of.....	2120	indebtedness , limitation of.....	2492
meetings	2140	unusual, authorized by vote.....	2492
members, expulsion of.....	2138	judgment against, how paid.....	2263
qualifications, judge of its own... ..	2137	justice of the peace , appeals from decisions of.....	2203
open doors	2142	jurisdiction of.....	2203
ordinances, adoption of.....	2147	police magistrate acts as, when	2204
powers of, generally	2148	local improvements , assessments.....	2265
president and vice president.....	2141	assessments, action to avoid....	2281, 2282
quorum	2139	action to avoid, judgment in.....	2281
records of officers, to examine.....	307	appeal from.....	2275
record of vote kept.....	2143	cities under special charters, in... ..	2501
		collected how.....	2288

INDEX.

<i>CITIES.—Continued.</i>	<i>Section.</i>	<i>CITIES.—Continued.</i>	<i>Section.</i>
local improvements, assessments, made		mayor, acknowledgments, may take...	3574
how.....	2280	compensation.....	2164
nonpayment, penalty for.....	2288	meetings of council, presides at.....	2120
sale of property for.....	2295	messages to council.....	2126
adjourned.....	2296	militia, may call out.....	2127
bidder failing to pay.....	2298	misconduct, punished how.....	2128
bidder, highest, defined.....	2297	oaths, may administer.....	2167
notice of.....	2295	officers, may remove, when.....	2121
special charters, cities under, in	2501	peace, power to keep.....	2122
bonds, amount, rate of interest, etc..	2309	police, power to appoint.....	2131
issuance in aid of.....	2308	prisoners, may release.....	2123
proceeds how disposed of.....	2310	qualifications of.....	2116
buildings, removal of.....	2274	records, power to examine.....	2125
certificate, surrender when deed issues	2304	revision of ordinances, may appoint	
commissioners of, appointment.....	2266	committee for.....	2129
damages assessed by.....	2269, 2270	term of.....	2116
duties.....	2268-2271	vacancy filled, how.....	2117, 2118
hearing by.....	2269	removal from city, by.....	2119
oath.....	2267	veto power.....	2130
report.....	2271	office when deemed vacated.....	2260
confirmation of.....	2272	officers, appointive, enumerated..	2156, 2157
survey made by.....	2268	appointive, term.....	2158
damages paid how.....	2273, 2274	blanks, to provide at expense of city	308
deeds, record of.....	2304	commission.....	2160
made how in cities under special		compensation to remain unchanged..	2166
charter.....	2502	contracts of city, to have no interest	
ordered how.....	2279	in.....	2162
profiles filed where.....	2276	penalty.....	2337
property, none exempt.....	2306	duties and powers, prescribed how..	2334
sold, action for possession limited..	2307	election, after organization.....	2340, 2341
reassessment for, made how.....	2283-2287	elective, enumerated.....	2154
made when.....	2283	term.....	2155
records of auditor as evidence.....	2278	oath and bond.....	2159
sales, certificate to purchaser...2300, 2301		office, certain, to hold but one.....	2163
error does not invalidate, when	2305, 2306	qualifications.....	2161
record and return of.....	2299	records, to deliver to successor.....	2160
redemption from.....	2302	term of first officers.....	2342
part owner, by.....	2303	begins when.....	2259
sidewalks, building and repair, as-		ordinances, actions for violations.....	2149
essments for.....	2292, 2293	charter enforced by, when.....	2333
building and repair, contracted for,		council to pass certain, recommended	
how.....	2292	by board of education.....	853
ordered how.....	2291	organization, authorized.....	2108-2115
repair of, council may provide for..	2294	charter, special, void when.....	2343
width and material, established		towns and villages into, of.....	2338-2343
how.....	2290	parks, may acquire.....	2503
streets and alleys, vacation of, appeal		plats of.....	2418-2423
from.....	2277	filed, to be.....	2329, 2332
vacation of, notice of hearing.....	2277	police, duties.....	2249
petition for.....	2277	execution of warrant.....	2250
streets, alleys and sidewalks, grade of		powers.....	2249
established how.....	2289		
tax deed, form of.....	2302		

INDEX.

	<i>Section.</i>
CITIES.—Continued.	
police magistrate, appeals to district court.....	2201
appeals, undertaking on.....	2201
blanks, to provide at city expense...	308
bond.....	2166
compensation ..	2166
conservator of the peace.....	2200
court, when open.....	2200
duties.....	2193-2195
finer not remitted by.....	2202
judgment upon conviction.....	2199
jurisdiction	2193
exclusive, when.....	2152
jury, selection of.....	2206
malicious prosecution, duty in case of	2205
office hours.....	2208
powers and duties, generally.....	2206
proceedings governed, how.....	2207
trials governed, how.....	2198
postponement of.....	2196
vacancy filled how	2204
witnesses summoned by	2197
powers	2112
townships, have same as.....	2676
process served by whom	2153
reincorporation, prior ordinances enforced	2115
road funds to be turned over when ...	2499
sewers, assessment committee	2320
assessments for, made how.....	2320
bonds for.....	2321
payment of.....	2325
tax for, levy and collection.....	2322
construction, alteration and repair of	2316
contracts for, how let... ..	2317, 2318
payment for.....	2320, 2321
contracts for, part payment.....	2319
emptied where	2326
establishment and maintenance....	2315
proposals for construction.....	2317
sinking fund	2323
investment of.....	2324
special assessments, funds kept separate	2183
streets and alleys, locating and vacating	2454-2458
taxes apportioned by treasurer and auditor	2192
collected by county treasurer.....	2191
collection, mode of.....	2493, 2498
levy, how and when made.....	2190
general purposes.....	2490
interest fund, rate of.....	2487

	<i>Section.</i>
CITIES.—Continued.	
taxes, levy, mode of	2493-2498
school purposes.....	2485
sinking fund, rate of.....	2488
property exempt.....	2335
towns may become, when	2338
treasurer, accounts kept separate	2179
blanks, to provide at city expense...	308
city moneys, use of prohibited.....	2181
duties.....	2176-2183
forfeitures received by police magistrate, to collect.....	5793
funds from special assessment, how kept	2183
funds paid out, how.....	2177
payment of warrants.....	2178
receipts in duplicate for money	2180
reports.....	2182
board of education, to.....	853
salary fixed how.....	2497
settlement by.....	2176
speculation in office, punishment....	7630
vacancies, filled by election	2258
villages may become, when	2338
wards changed how	2449-2453
warrants, accounts of, kept by auditor	2168
drawn by auditor.....	2168
payment	2178
register kept by treasurer.....	2182
waterworks and fire apparatus, authority to provide	2459-2461
CITIZENS.	
employment, hindering to obtain	7041
other states, of, rights of	19
persons, who are	11
persons, who are not	16
rights, same as electors except holding office	18
CITIZENSHIP.	
governor may restore to, when	8440
CITY BOARD OF HEALTH.	
(See <i>Boards of Health, 254-274.</i>)	
CIVIL DEATH.	
absence for seven years deemed	5701
imprisonment for life is	7707
CIVIL RIGHTS.	
classification of	2695
imprisonment in penitentiary suspends	7706
loss or waiver of	2696

INDEX.

	<i>Section.</i>		<i>Section.</i>
CLAIM.		CLERK OF DISTRICT COURT.—	
		<i>Continued.</i>	
action to determine adverse, against		certificate, seal, must be under	5700
real estate	5904	coroner's inquest, record kept by	2019
buying, to sue, attorneys, by	7008	court adjourned by, when	1991
justice or constable, by	7009	change of venue, damages for neglect on	8118
claimants, public land, action may		ordered, duty of	8113
maintain	5919	papers, to transmit to other counties	8204
counties, against	2626-2630	deputy appointed when	370, 2063
decedents estate, against	6399-6416	bond	370
loans on, held for collection	7010	responsible for acts of	370
receiving, in payment, allowable, when	7012	salary	2063
townships, against	2626-2630	county court, clerk of, when	6613
		court, adjourns, when	1991
CLAIM AND DELIVERY.		deposition, disclosing, misdemeanor,	
affidavit in, contents	5332	when	7018
claim to property by third person	5341	duties	1989
defendant cannot reclaim property,		escape, permitting, misdemeanor, when	6086
when	5335	fee-book to be kept by	2066
delivery of property may be claimed,		fees, advance, may require in	2104
when	5331	bill of, to post, penalty	2105
filing of papers with clerk	5342	generally	2067
judgments in	5484	report monthly, to	2066
property delivered to plaintiff,		indictment, disclosing	7030
when	5336, 5337	information, disclosing	7030
redelivery to defendant	5336	insolvency records, to keep	6003
requisition to sheriff to take property . .	5333	judgment book, to keep	5487
service, mode of	5334	judgments, assignments of, to enter . . .	5496
service of what, made on defendant . .	5334	docket, to	5495
sheriff, authority as to concealed prop-		transcript filed, duties	5491
erty	5339	jurors, to act in selection of	449
indemnity to, for holding property,		notice of selection of	449
when	5341	jury, criminal, duties	8129
property, keeps, etc.,	5340	mechanic's liens, duties	4792
sureties, defendant may except to	5335	miner's liens, duties	4809
justification of defendant's	5337	neglect of duty, liability for	1990
justification of plaintiff's	5335	notary public, to record commission . .	472
qualification and justification	5338	records of, deposited, to certify to . .	470
sheriff responsible for sufficiency,		records of, to preserve	470
when	5335, 5337	notice, may be served on for nonresi-	
undertaking of plaintiff	5334	dent, when	5730
redelivery, for	5336	oaths, may administer	460
verdict of jury in	5447	orders, criminal, to enter in minutes,	
		when	8261
CLERK OF DISTRICT COURT.		partition, securities in, duties as to . . .	5834
amercement of	5556	presentment, disclosing	7030
appeals, criminal, duties	8338	record on appeal, certificate to	5607
justice's court, from, duties on	6777	transmit, to	5607
appropriating money, felony, when . . .	6985	record books, to be kept by	1989
bill of expenses of trial in action from		records of office, injuring	6985
another county	5596	refusal to perform duty, misde-	
blanks, to provide at expense of county	308	meanor	7363, 7368
bond	343	register of actions, to keep	5740
calendar, enters causes in, how	5422	firms, of, to keep	4414
certificate, false, making, misdemeanor	7036		

INDEX.

	<i>Section.</i>		<i>Section.</i>
CLERK OF DISTRICT COURT.—		CODE.—Continued.	
<i>Continued.</i>		penal, scope of.....	6805
salary.....	2061, 2062	political, act known as.....	1
county reimbursed, how.....	2065	actions, pending, unaffected.....	2686
deputy's, not to receive.....	2064	construction.....	2682, 2683
venire for jurors, to issue, contents....	452	designated how.....	2688
verdict, criminal, records when.....	8252	limitations reckoned how.....	2687
CLERK OF SUPREME COURT.		offices under repealed acts continued,	
(See <i>Courts, Supreme.</i>)		when.....	2684, 2685
COAL MINES.		proceedings, pending, unaffected....	2686
side tracks, penalty for not building... 3058		retroactive, not.....	2681
required when.....	3057	probate, act known as.....	6160
CODE.		case construed.....	6166
construction, rule for.....	81	clerk construed.....	6166
civil, acknowledgments, etc., former,		codicil construed.....	6166
unaffected.....	3592	construction, rule of.....	6161
act known as.....	2689	county court construed.....	6166
amended how.....	5138	county judge construed.....	6166
benefit of certain provisions can be		law of state, establishes.....	6161
waived.....	4968	mandate construed.....	6166
divisions.....	2697	person interested construed.....	6166
instruments, former, unaffected....	3593	procedure prescribed.....	6162
law of this state, establishes.....	5138	provisions, certain remain in force... 6163	
law, common, excluded when ..	2694, 5138	rights, prior, unaffected.....	6162
liberally construed, to be.....	5138	time, computed how.....	6164
civil procedure, act known as.....	5145	will construed.....	6166
amended and cited how.....	5154	words, certain, construed.....	6166
common law excluded when.....	5147	words and phrases, construed how .. 6165	
construction, rule of.....	5147	CODICIL.	
law, effect upon former.....	5153	(See <i>Wills.</i>)	
law of state, establishes.....	5147	COHABITATION.	
process defined as used in.....	5152	punishment for unlawful.....	7171
repeal revives no former law.....	5153	COIN.	
retroactive, when not.....	5146	counterfeiting with intent to export,	
rights, prior, unaffected.....	5148	forgery.....	7429
state defined as used in.....	5152	intent to utter, with, forgery.....	7428
statutes of limitation, effect on.....	5149	possession of counterfeit, forgery....	7436
technical words, how construed....	5151	uttering counterfeit, forgery.....	7438
words and phrases, how construed..	5151	COLLUSION.	
writ defined as used in.....	5152	divorce denied on showing.....	2744, 2746
United States defined as used in ...	5152	COMBINATIONS.	
criminal procedure, act known as....	7740	(See <i>Trusts, Pools and Combinations,</i>	
applies to what.....	8509	7480, 7481.)	
continuation of statutes, construed as	8689	COMMISSION TO ADJUST TAXES.	
provisions govern, when.....	8690	authority of.....	1347
retroactive, not.....	8504	discrepancies in taxes adjusted by....	1353
justices', act known as.....	6618	expenses of, paid how.....	1353
applicable when and to whom.....	6619		
penal, act known as.....	6800		
construed how.....	6808, 7738		
retroactive, not.....	7739		

INDEX.

	<i>Section.</i>		<i>Section.</i>
COMMISSIONER OF AGRICULTURE AND LABOR.		COMMISSIONERS OF RAILROADS.	
		—Continued.	
duties of	123, 127-129	findings and report, action on, injunction, etc., when.....	3049
examination of persons under oath....	126	procedure in.....	3048, 3049
fairs and expositions, has charge of....	128	delivered to attorney general, when..	3046
obstruction of, misdemeanor.....	125	service on carrier.....	3045
report.....	130	writing, to be in.....	3044
number printed	59	free passage from carriers.....	3007
salary	131	grain, weighing of, etc., supervise.....	1784
settlers, needy, accounts approved by	1512	trade, investigate fraud and oppression in.....	1784
appropriation expended by.....	1511	majority decides questions.....	3012
statistician, state.....	129	members, who are.....	3003
wool market, proclaims.....	1809	office, where kept.....	3006
COMMISSIONER OF INSURANCE.		penalties recovered, where paid.....	3051
books, etc., of companies, access to....	3125	petition, persons aggrieved may.....	3041
contempt of, proceedings to punish....	5953	proceedings on.....	3042
disqualified to act, when.....	135	powers and duties.....	3008, 3035
duties.....	132	public warehouses, to license.....	1787
fees.....	3132	qualifications.....	3004
account of, report, payment.....	327	rates, change of, by carriers, compelled	3031
inquiry into condition of companies....	3123	fixed by, in effect, when	3032
life policies, to ascertain value of.....	3127	fixed by, notice of, when.....	3031
notice, when company's capital impaired.....	3099	order fixing, served on whom.....	3032
policies, notice to discontinue issuance of.....	3127	report, annual, contents	3010
notice not to issue new, when.....	3102	special, biennial.....	3011
report to governor.....	132	regulate management of public warehouses	1784
number printed	59	salary	3006
salary	134	secretary, may appoint.....	3003
statements of insurance companies, duties.....	3121	salary	3006
COMMISSIONERS OF PUBLIC PRINTING.		witnesses, may require attendance of..	3042
contract, may cancel, when.....	51, 54	COMMITMENT.	
extend, may, when.....	53	appearance for trial, on, court may issue	8220
documents, determine number printed	47	bail exonerated by.....	8254
duties and powers of.....	61	bail not given, words indorsed.....	7969
expert printer, may employ.....	49	contempt, for (See <i>Contempt</i> .)	
inferior printing, may reject.....	54	defendant convicted, may issue.....	8254
members, who are	38	examination, for, form.....	7956
violation of duty, penalty.....	75	form	7971
COMMISSIONERS OF RAILROADS.		fugitives from justice.....	8485, 8486
actions, duty to institute, when.....	3051	offense bailable, form.....	7968
appeals from orders fixing tariffs.....	3034	bailable, not, form.....	7967
attorney general, counsel for.....	3009	order of, to reform school, contents....	8584
bond and oath.....	3005	penalty, if officer refuses prisoner copy	8684
contempt of, proceedings to punish....	5953	prisoner entitled to copy.....	8684
counsel, additional, may employ.....	3009	warrant, contents of.....	7970
findings and report, action brought on, when	3047	witnesses.....	7972, 7975
		youth, to reform school, term of...8581	8583
		COMMON CARRIER.	
		(See <i>Carriers, Common</i> .)	

INDEX.

	<i>Section.</i>		<i>Section.</i>
COMMON LAW.		COMPLAINT.—Continued.	
(See <i>Law.</i>)		service, unnecessary if no personal	
COMMUTATIONS.		claim made	5250
(See <i>Pardons, 8431-8442.</i>)		summons, of, need not be made with	5249
COMPENSATION.		time for, after demand	5249
assignee in insolvency	6050	supplemental	5301
defined	4969	taxes, in action for	1278
delay, may cure, when	3806	COMPOUNDING.	
errors of description, agreement for,		crimes, what is	6997
does not prejudice rescission, when..	3933	punishment	6997
finder of thing, entitled to, when	4034	indictment or information for, grounds	8061
lienor not entitled to, for expense of		prosecution, defined	6998
keeping	4687	misdemeanor	6998
mistakes, allowed on specific perform-		COMPROMISE.	
ance for, when	5030	acceptance of offer, how made	5639-5641
officious persons, not entitled to	4172	counterclaim, offer to allow	5640
partial failure to perform, allowed on		crime, of, not permitted, except	8412
specific performance	5031	judgment offered by defendant, effect..	5639
partition	5821, 5822	misdemeanor, authorized, when	8409
inequality, for	5835	order to, is bar	8411
partner, not entitled to	4382	stay of proceedings on	8410
public officers, (See <i>Salaries.</i>)		offer cannot be given in evi-	
relief, from forfeiture, on	4970	dence	5639, 5640, 5642
rescission, required in, when	5040	fixed damages, of	5641
ship's managing owner for personal		CONCEALED WEAPONS.	
services	4171	(See <i>Weapons.</i>)	
storage, rates of	4026	CONCILIATION.	
trustee, instrument silent, same as exec-		agreement entered on docket	6796
utors	4293	judgment, becomes when	6796
COMPLAINT.		certificate to justice	6797
allegations not denied admitted	5292	compensation, paid how	6798
amended, must be served	5270	costs and fees	6798
time to answer	5270	duties of commissioners	6796
causes of action must be separately		election of commissioners	6794
stated	5291	evidence taken	6796
claim before due, what to state	5353	hearing, attorneys not allowed at	6797
contain, what to	5266	certified to justice, when	6797
counterfeiting trade-marks, etc	7266	parties appear in person	6797
county court, in, filed when	6609	parties, brought before commission,	
defined, civil	5266	how	6796
criminal	7881	proceedings against commissioners,	
condemnation by eminent domain	5962	when	6798
foreclosure of mortgage, allegations as		commissioners, before	6796
to other proceedings	5869	evidence, cannot be given in	6799
forfeited goods, for	5788	term of office of commissioners	6795
forfeiture, for	5787	witness, commissioners incompetent as	6799
intervention, in	5239	CONDITIONS.	
joinder of causes of action in	5291	alienation, restraining, void	3307
partition, in, allegations	5796	communication of acceptance, concern-	
quo warranto for usurping office, in . .	5745	ing, must be obeyed	3858
service, proof of	5262		
required after appearance and de-			
mand	5249		

INDEX.

	<i>Section.</i>		<i>Section.</i>
CONDITIONS.—Continued.		CONSIDERATION.—Continued.	
created, when deemed.....	3323	lawful, must be.....	3873
forfeiture, involving, strictly construed	3776	legal, good, how far.....	3872
marriage, imposing restraints on, void	3306	moral, good, how far.....	3872
negotiable instruments, what allowed	4854	presumed in case of drawer, acceptor or	
offer of performance, may be made de-		indorser.....	4867
pendent on, when.....	3812	transfer, unnecessary to validity of....	3509
free from, must be, except.....	3808	unascertainable, contract void.....	3878
ownership classified.....	3304	provision void.....	3879
imposed on, may be.....	3303	undetermined, reasonable worth deter-	
precedent, defined.....	3304	mines.....	3877
illegal, condition void.....	3305	unlawful, contract void.....	3874
instrument void.....	3305	want of, indorsee not affected, when ..	4883
pleaded how.....	5286	writing presumes.....	3880
subsequent, defined.....	3304		
performance of, of proposal, is accept-		CONSIGNEE.	
ance.....	3860	(See <i>Carriers, Common.</i>)	
proposal revoked by failure to perform	3863	CONSIGNOR.	
specific performance, performance of,		(See <i>Carriers, Common.</i>)	
necessary before.....	5031	CONSPIRACY.	
(See <i>Obligations.</i>)		acts, overt, what necessary.....	7040
CONDONATION.		allegation of overt act necessary.....	8194
divorce denied on showing... 2744, 2747-2749		assembly of workmen, when not... ..	7039
CONDUCTOR.		defined.....	7037
intoxication, misdemeanor.....	7320	mines, against.....	7662
CONFESSION.		state, out of.....	7038
corpus delicti, not provable by.....	7055	CONSTABLE.	
CONGRESS.		account to county commissioners.....	1932
certificate of election of members.....	540	failure to make, penalty.....	1934
CONNIVANCE.		arrest without warrant, when ... 7563, 7923	
divorce denied on showing..... 2744, 2745		blanks, to provide at expense of munic-	
CONSENT.		ipality.....	308
adoption, necessary to, when..... 2799-2801		confinement, unlawful, of insane.....	7276
apprenticeship, who gives and how....	2832	demands, may receive in payment, when	7012
guardian, necessary to appointment,		demand in suit, buying.....	7009
when.....	2812	loaning on.....	7010
marriage, age of.....	2721	forfeits office.....	7011
annulment for lack of.....	2731	escape, permitting, misdemeanor, when	6986
essential to.....	2720	elective county officer.....	1890
separation, sufficient consideration for	2769	township officer.....	2540
CONSIDERATION.		fees.....	2093
burden of proving want of.....	3881	advance, may require in.....	2104
executed or executory.....	3875	bill of, to keep posted.....	2105
executory, ascertained how.....	3876	statement of, must indorse.....	2086
determined by what rules.....	3876	gambling, duty as to.....	7243
specified, need not be.....	3876	money, appropriating, felony, when... 6985	
failure of, rescission, ground for.....	3932	oath and bond, (See <i>Officers.</i>)	
good, defined.....	3871	prize fight, duty as to.....	7353
inadequate, contract not specifically en-		neglect of duty, as to, misdemeanor	7354
forced.....	5030	records of office, injuring, etc.....	6985
		refusal to perform duty, misde-	
		meanor.....	7363, 7368

INDEX.

	Section.		Section.
CONSTITUTION.		CONTEMPTS.—Continued.	
amendments to, accounts for publishing, audited how	1822	presence of court, in, procedure	5935
advertisement of, before election	509	not in, procedure	5936
certificate of election as to	543	punishable as crime, when	7687
fees for publishing	1821	referee, of, punished how	5952
record of result of election	544	restraint of liberty, degree required	5940
newspapers, how selected, and by whom	1820	service of what on accused required	5938
published how long and when	1819	sheriff liable for insufficient surety, when	5951
CONTEMPTS.		supplemental proceedings, in	5573
answer to interrogatories	5942	undertaking, appeal, on	5954
appeals, procedure	5954	conditions	5941
appearance, default in, proceedings upon	5948	proceeds of recovery applied how	5950
civil, defined	5934	prosecuted by whom	5949
corporation may be fined	5944	prosecuted in name of state, when	5950
county commissioners, of, punished how	1902	recovery on, extent of	5949
criminal, defined	5932, 7015	warrant of attachment, execution of, if undertaking not given	5940
punishment for	5933	indorsement on, of amount of undertaking required	5939
criminal prosecution not barred	5947	issues when	5936
discharge from arrest on undertaking	5941	special proceeding, deemed original	5937
fine, maximum	5944	warrant of commitment	5943
hearing, what used on	5942	witnesses, disobedience of subpoena	8370
imprisonment, act performed, until, when	5945	refusal to testify	8370
discharge of accused from, when	5946	CONTESTS OF ELECTIONS.	
maximum	5945	(See <i>Elections</i> , 563-606.)	
inspection of documents, refusing	5644	CONTRACTS.	
interrogatories specifying facts	5942	acceptance of proposal, absolute, must be	3861
judgment, refusing to obey	5501, 5562, 5573	communicated, deemed, when	3859
juror, failure or refusal to appear	459	conditions of, must comply with	3858
grand, acting after challenge	7999	consideration, acceptance of, is	3860
justices' court, in (See <i>Courts, Justices</i> .)	6734-6737	performance of conditions of proposal is	3860
legislative assembly, of, misdemeanor, punished how	24, 23	alteration, duplicate, of one, does not extinguish	3939
notary public, of, proceedings	5953	extinguishes as to whom	3938
offense presented by affidavit	5936	extinguishes to what extent	3935
officers, public, of, proceedings	5953	oral, of, mode	3935
officers selecting jury, neglect	459	written, of, mode	3936
order, delivery or conveyance, for	5410	benefit of third person, for, he may enforce	3840
final, directing punishment	5943	cancellation or destruction, duplicate, of one, does not extinguish	3939
punishing summarily, contents	5935	extinguishes as to all consenting	3937
order to show cause, issues in what cases	5936	extinguishes as to whom	3938
time at which issues	5937	classified	3882
party to action, refusing to attend or testify	5650	consent, acceptance of benefit is	3865
payment, acceptance, bar to action	5944	communicated, deemed fully, when	3859
injured party, to, instead of fine, when	5944	communicated how	3857
		duress in obtaining, defined	3845

INDEX.

CONTRACTS.—Continued.	<i>Section.</i>	CONTRACTS.—Continued.	<i>Section.</i>
consent, fraud in obtaining, classified	3847	husband and wife, may make what	2768
actual, defined	3848	implied, defined	3884
constructive, defined	3849	interest on, same before and after	
free apparently, not so, when	3843	breach	4068
deemed not, when	3844	interpretation, carry into effect, so as to	3901
menace, defined	3846	circumstances of making referred to	3905
mistake in obtaining, classified	3852	clauses help interpret others	3899
fact, of, defined	3853, 3855	subordinate to general intent	3908
law, of, defined	3854	effect given every part	3899
mutual, defined	3856	extends only to things intended	3906
ratification by subsequent	3864	incidents, when implied	3914
requisites of	3841	inconsistent words rejected	3911
rescinded, if not free	3842	intention ascertained from writing, if	
undue influence, defined	3851	possible	3897
consideration, executed or executory,		effect to be given	3894
may be	3875	real, governs in case of fraud, etc.	3898
executory, how determined	3876	language governs, if clear	3896
good, defined	3871	lawful, operative, reasonable, so as	
inadequate, specific performance not		to be	3901
enforced	5030	original parts control forms	3909
lawful, must be	3873	performance, time of, if unspecified	3915
legal, when good	3872	promise understood it, as, when	3907
moral, when good	3872	promise in singular by several	3918
presumed from acceptance of bill of		presumed joint and several, when	3917
exchange	4867	repugnancies reconciled, if possible	3910
indorsement of negotiable instru-		rules governing	3895
ment, from	4867	several on same thing construed to-	
writing, from	3880	gether	3900
reasonable worth, if undetermined	3877	special meaning by usage governs	3902
unascertainable, contract void	3878	stipulations, reasonable, implied	3913
provision void	3879	technical words, construed how	3903
unlawful, contract void	3874	time of essence, when only	3916
want of, burden of proof	3881	uncertainty interpreted against one	
writing presumes	3880	causing it	3912
creation, oral, unless writing required	3885	presumption as to who caused it	3912
writing, by, required in what cases	3887	uniform for public and private	3893
defined	3835	words, ordinary and popular sense	3902
delivery, law governing	3890	written part controls printed	3909
disaffirmance, minors, may make when	2702	lunatic cannot make	2706
minors, when and who may make	2703	marriage, defined	2720
elements of, essential	3836	married women, rights and capacity as	
duress defined	3845	to	2767
enforcement, beneficiary has power of	3840	necessaries, for, minor cannot disaf-	
oral, of, not in writing because of		firm, when	2704
fraud	3886	menace defined	3846
executed, defined	3919	mistake, fact, of, defined	3853
executory, defined	3919	law, of, defined	3854
express, defined	3883	foreign, of, is mistake of fact	3855
extinction, effected how	3930	non-negotiable, indorsement subject to	
forfeiture of property subject to lien,		equities	3783
for, void	4684	transfer by indorsement	3783
fraud, actual, defined	3848	object defined	3866
constructive, defined	3849		

INDEX.

	<i>Section.</i>		<i>Section.</i>
CONTRACTS.—Continued.		CONTRACTS.—Continued.	
objects, possible, defined.....	3868	undue influence defined.....	3851
requisites of.....	3867	unlawful, business, in restraint of, when	3926
unlawful, several, partially void.....	3870	damages for breach of, fixing, valid	
single, entirely void.....	3869	when.....	3924
oral, prevented from being put in writ-		fixing, void.....	3923
ing by fraud.....	3886	defined.....	3920
parties to, existence, must be in.....	3839	enforcement of rights, restricting,	
identification, must be possible.....	3839	void.....	3925
minor's, etc., capacity.....	3838	good will, sale of, excepted.....	3927
persons capable of being.....	3837	marriage, in restraint of, void.....	3929
performance, time of, when unspecified	3915	partners' agreement not unlawful re-	
person of unsound mind cannot		straint.....	3928
make.....	2706, 2708	penalties, imposing, clauses void	
principal, accepting, waives interest,		when.....	3922
when.....	4976	imposing, void.....	3922
promise, joint and several, presumed		policy of the law, against, is.....	3921
when.....	3917	written, oral negotiations superseded..	3888
joint and several, if by several in		take effect on delivery.....	3889
singular.....	3918	(See <i>Obligations.</i>)	
proposal, acceptance must be absolute	3861	CONTRIBUTION.	
acceptance must comply with condi-		cosureties, between.....	4660
tions.....	3858	general average loss adjusted how....	4218
acts which are acceptance of.....	3860	indorser not entitled to.....	4882
revocation, how made.....	3863	insurers, between, apportioned how...	4532
made when.....	3862	jettison, loss by, apportioned how....	4217
ratification, subsequent consent is.....	3864	joint or several debtor may require,	
rescission, adjudged when.....	5038	when.....	3767
authorized in what cases.....	3932	CONTROVERSY WITHOUT AC-	
notwithstanding stipulation for		TION.	
compensation, when.....	3933	case, requisites of.....	6133
compensation required when.....	5040	judgment enforced how.....	6135
effected by party when.....	3932	entry, judgment roll.....	6134
extinguishes.....	3931	CONVENTION.	
mere mistake, not adjudged for, when	5039	defined.....	498
persons of unsound mind, by.....	2707	proxy, who may not use at.....	6899
rules governing exercise by party....	3934	CONVERSION.	
(See <i>Rescission.</i>)		acts of lienor which constitute.....	4695
revision, court may inquire what in-		bailee, fraudulent, by.....	7465
strument was intended to mean...	5036	damages, measure of, for.....	5000
fraud or mistake, grounds for.....	5034	measure of, to lienor.....	5002
intention to make equitable agree-		lienor, by, extinguishes lien.....	4695
ment presumed.....	5035	will, directed by, takes effect when...	3705
specifically enforced, may be after...	5037	CONVEYANCE.	
right of redemption, in restraint of,		defined as to recording.....	3434, 3595
void.....	4684	execution by railway corporations....	2958
seals abolished.....	3892	fraudulent, making, penalty.....	7511
corporate, etc., affixed how.....	3891	grant, delivery deemed time of creating	
separation, of, consent sufficient con-		interest.....	3323
sideration for.....	2769	homestead in case of insanity, of..	3632-3638
statutory, minor cannot disaffirm....	2705		
time of essence, when only.....	3916		
transfer is an executed.....	3509		

INDEX.

	<i>Section.</i>		<i>Section.</i>
CONVEYANCE.—Continued.		CORONER.—Continued.	
lands in suit, taking	7001	escape, permitting, misdemeanor, when	6986
person of unsound mind can make,		fees	2089
when, when not.	2707, 2708	bill of, to keep posted, penalty.	2105
power, instrument in execution of, is.	3434	inquest, body of deceased, disposition	
power to make, how revoked.	3596	of.	2020
record, constructive notice.	3597	held by, when.	2009
prior unrecorded, rendered void by.	3594	physicians as experts, when.	2022
unrecorded, valid as to whom	3598	fees of.	2089
CONVICT.		proceedings, record, filed where.	2019
abuse of, punishment.	8627, 8628	property on deceased, disposition	
care of during imprisonment	8612, 8647	of.	2023-2025
communicating with, without leave.	7034	testimony reduced to writing	2019
disfranchised, except	6869	verdict, form of.	2014
hard labor, court or justice may sen-		secret, kept when.	2015
tence to	8623	jurors, acts in selecting, when.	449
importing, misdemeanor, when	7027	return, form of.	2014
person of, protected	7709	jury, oath to.	2011
voting without pardon.	6869	justice, may act as, when.	2021
CONVICTION.		records of office, injuring.	6985
accomplice, evidence necessary to.	8195	refusal to perform duty, misde-	
bail allowed after.	8447	meanor	7363, 7368
bar to further prosecution, when.	8219	service of process, etc., duty.	5734
barratry, proof required.	7006	sheriff, acts as, when	2006, 2008
corpus delicti, proof necessary, when.	7055	warrant, arrest, of, may issue, when.	2016
country or state, in foreign, bar		contents	2018
here	7686, 7868	jury, for, form.	2010
county, in one, bar in another.	7869	returnable where	2017
crimes, two or more, sentence.	7700	witnesses, oath of.	2013
defendants, several, part convicted, pro-		subpœna for.	2012
cedure	8245	CORPORATIONS.	
degree of crime, doubt as to.	8186	General Provisions.	
duel, what is defense to.	7082	actions against, civil, annulment, for	
felony, of, disqualifies executor, etc.	6346	5775-5784
foreign law, under, is bar.	7686, 7868	sequestrating property of insolvent,	
forfeiture of property, does not work,		for	5761
except	7710	actions against, criminal, appearance.	8419
former, plea of, when sustained.	8108	certificate of probable cause	8418
offense, second, for, effect of.	7698, 7699	plea of not guilty.	8419
punishment only after.	6806, 7744	presentment, proceedings	8413
showing necessary to.	7752	proceedings	8413-8421
treason, proof necessary to.	8193	agents, books, false alteration of or	
CORONER.		entry in, forgery.	7434, 7435
account of property rendered by.	2026	debts, issuing false evidence of, for-	
accused, not to disclose name of.	2015	gery	7427
appropriating money, felony when.	6985	embezzlement, guilty of, when	7462
arrest, may order, when.	2016	articles of incorporation, acknowledg-	
blanks, to provide at expense of county	308	ment and subscription.	2864
contempt by jurors or witnesses.	2012	amendments, how made	2908
counties, organization of, duties in 1827-1829	1829	contents	2861
embezzlement, guilty of, when.	7462	telegraph	2862
		telephone	2862
		evidence, certified copies are	2870

INDEX.

	<i>Section.</i>
CORPORATIONS.—Continued.	
articles of incorporation, fee for.....	2865
fee, receipt for, filed with	2867
instrument by which formed	2857
record by secretary of state	2869
assessments of stock, amount of,	
limited.....	2918
basis for.....	2929
delinquency, sale of stock for.....	2926
errors, substantial, invalidate.....	2932
irregularities do not vitiate.....	2932
levy made by directors, when.....	2917
new, made when only	2919
notice of, form.....	2921
service	2922
notice of delinquency, contents.....	2924
form	2923
given how	2923
publication of	2925
order levying, requisites of.....	2920
owned by corporation, nonassessable	2929
time fixed extended, when, how	2931
black list, exchange of.....	7042
bonds issued how	2906
issued only for money, labor, etc ...	2877
books, false alteration of, forgery..	7434, 7435
false entries in, forgery	7434, 7435
stock and transfer, contents.....	2907
by-laws, adoption, by whom, when....	2883
adoption by written assent.....	2883
amendment, repeal, record of.....	2885
directors may make, when.....	2885
provisions which may be made in...	2884
record required, take effect, when...	2885
certificate of incorporation issued by	
secretary of state.....	2868
classification of.....	2854
conveyances, legalizing former.....	3534
officer who executes.....	3532, 3533
corporators, one-third must be resi-	
dents	2864
debts limited to amount of subscribed	
stock	2891
definition of.....	2850
directors, action against, for what	5758-5770
assent presumed, when	7533
defendants in action, made when	5767, 5768
defined	7536
election of, contested how	2897
first board, of, when.....	2887
time of holding.....	2886
voting, mode of	2888
knowledge, deemed to have, when...	7532

	<i>Section.</i>
CORPORATIONS.—Continued.	
directors, knowledge of absent, pre-	
sumed when.....	7534
liability, bonds, for illegally issuing	2906
debts, for creating illegally, etc ...	2892
dividends, for making illegal.....	2892
trustees on dissolution, are.....	2915
meetings of, called how	2900
held where.....	2898, 2899
state, out of, when.....	2898, 2899
number	2889
officers, election of.....	2890
powers	2889
qualifications.....	2889
quorum	2890
receipt of property, omitting to enter,	
misdemeanor	7525
removal, mode of.....	2894
trustees on dissolution.....	2914
vacancies, how filled	2889, 2894
dissolution, action for.....	5762-5766
directors, trustees on.....	2914
involuntary, how effected.....	2912
remedies against, not impaired by ...	2943
revival after, how.....	2916
voluntary, how made.....	2912
dividends, basis for.....	2929
owner of, who is.....	2881
profits, made only from.....	2891
stock owned by corporation, none to	2929
elections, action to vacate, court's	
power	2897
majority must be represented at...	2895
special, if regular fails.....	2896
voters, qualifications of.....	2895
examination by legislative assembly...	2942
exemptions, none.....	2936
existence, term of.....	2882
proof of, not required unless denied..	5754
existing, duties under codes.....	3259
felony, punishment of, for.....	6811
forfeiture of rights by nonuser.....	2913
franchise, sale of, authorized to sat-	
isfy judgment	2936
certificate of purchase.....	2937
purchaser, rights of.....	2937, 2938
redemption by corporation.....	2940
sale, place of	2941
fraud in procuring organization.....	7516
unauthorized use of name of person	7517
headquarters changed how.....	2911
incorporation, collateral inquiry into,	
prohibited.....	2852

INDEX.

	<i>Section.</i>
CORPORATIONS.—Continued.	
incorporation, fraud in procuring, punishment	7516
manner of, in general	2858
individuals subject to law of, when....	3260
meetings, adjournments without quorum	2895
bonds, for issuance of	2906
called how	2900
justice calls, when	2901
name, for changing	2910
place of	2898, 2899
record of, to be kept	2907
removal of director, for	2894
stock, for increasing or diminishing..	2905
valid, though uncalled, when	2903
members, definition	2871
moneyed, director of, guilty of misdemeanor, when	7531
fraudulent acts, misdemeanor	7530
insolvency deemed fraudulent, when	7529
name, change in, made how	2910
change made only if authorized by law	2853
obligations unaffected by	2910
misnomer does not invalidate, when	2853
required to have	2853
notices, assessment of stock, for,	
service	2921, 2922
delinquency in assessments, of	2923, 2924
directors, meetings of	2900
election	2886
time fixed in, how extended	2931
notice of meetings, articles of incorporation, to amend	2908
bonds, for issuance of	2906
by-laws, for adoption of	2883
directors, for removal of	2894
name, to change	2910
stock, for increasing or diminishing..	2905
obligations unaffected by change of name	2910
officers, actions against for	
what	5758, 5769, 5770
appropriations by, fraudulent	7462
books, fraudulent destruction of....	7526
refusing inspection of	7528
debt, evidence of, issuing false, forgery	7427
defendants in action, made,	
when	5767, 5768
embezzlement, guilty of, when	7462
liability for illegally issuing	
bonds	2877, 2906

	<i>Section.</i>
CORPORATIONS.—Continued.	
officers, liability, entries, notices, etc.,	
for making false	2893
payments, for, enforced when ...	5772
stock, for issuing illegally....	2876, 2877
receipt, omitting to enter	7525
report, publishing false	7527
trusts, violating law against	7483
place of business, fixed in articles....	2861
principal, changed how	2911
powers enumerated and prescribed....	2882
grant of, subject to alteration, etc..	2851
retains what, after sale of franchise	2839
will, to take property by, if specially	
authorized	3643
private, defined	2850
purposes for which formed	2856
proxy must be in writing	2895
public, defined, regulated how	2855
officers, fraudulent appropriations by	7462
records of business transactions	2907
redemption of franchise after sale	2940
renewal of existence, mode of	2909
reports, time of making	72
sale of franchise, where made	2941
seal, how affixed	3891
signature, form of	3535
stock, certificates, issuing canceled, forgery	7426
certificates, issuing false, forgery....	7425
manner of issuing	2876
corporation may own its, when	2880
deceased person's, represented how..	2872
delinquent, sold or action brought to	
recover assessment	2935
diminution in, how made	2905
division, etc., of, authorized when..	2892
prohibited	2891
excess above capital authorized, void	2879
forfeiture of, or recovery on subscription	2875
increase in, fee for	2866
made how	2905
receipt for fees, filing	2867
insane, of, represented by guardian..	2872
issued only for money, labor, etc ...	2877
majority of, how determined	2930
minor's, represented by guardian....	2872
negotiable	2876
note, not payment for	2878
par value must be paid	2876
personal property, is	2876
redemption, conditions of bringing	
action	2933

INDEX.

	<i>Section.</i>
CORPORATIONS.—Continued.	
stock, certificates, reduction of, how made	2905
sale of delinquent, corporation may purchase	2929
highest bidder, to	2928
jurisdiction	2926
mode	2927
proof of, and of publication	2934
subscription, books of, opened when enforceable	2874
enforceable	2873
fictitious	7515
title of its stock purchased by it in corporation	2930
transfer made by indorsement	2876
nonresidents, by, requirements	2904
valid only when entered on books ..	2876
stockholders, consent in writing ratifies acts, when	2903
defendants in actions, made when	5767, 5768
defined	2871
liability for debts, as to	2902
liability, bonds, for illegally issuing ..	2906
debts, for	2902
payments, for, enforced when	5772
quorum	2895
will, take by, when	3643
Agricultural Fair.	
by-laws provide for what	3202
charges limited	3202
debts, limit in incurring	3201
directors liable for debts, when	3201
income derived how	3202
realty, holding limited	3200
purposes for which held	3200
Banking.	
account, overdrawing by officer, etc., misdemeanor	7523
actions against insolvent	3258
dissolve insolvent, to, grounds	5762
articles of association, contents, execution,	3226
evidence	3233
banking business can only be done by ..	3252
bonds of officers and employees	3256
capital, amount, how determined	3231
increase or decrease, mode of	3236
debts, bad, defined	3240
deposits, insolvent, not to receive	3250
insolvent, penalty for receiving	3251
punishment for receiving	7524

	<i>Section.</i>
CORPORATIONS.—Banking.—Continued.	
directors, examinations, reports	3257
loans, making unauthorized, misdemeanor	7518
qualifications, oath	3239
dissolution, application for, contents ..	3237
district court, by	3237
dividends, declared when	3238
forbidden when	3240, 3245
examinations, directors, by	3257
fees for	3254
state examiner, by	3254
formation, persons who may join in	3226
franchise forfeited when	3253
interest, rate permissible	3241
loans, limit to one concern	3247
shares, on, prohibited	3244
officers, guarantee, excessive indebtedness by, misdemeanor	7522
indorsement, excessive indebtedness by, misdemeanor	7522
oath, record	3255
organization certificate, acknowledgment and record	3228
contents	3227
filed where	3228
publication of	3232
penalties recovered how	3246
reserve fund, for not keeping good ..	3245
statements or entries, for false	3249
violations of banking laws, for	3248
provisions of chapter, of	3252
powers enumerated	3229
real property, to hold	3230
reports, failure to make, penalty	3242
regular and special	3242
reserve fund, amount of	3245
good, to be made, when	3245
penalty for not making	3245
shareholders, liability of	3235, 3243
withdrawal forbidden, when	3237
shares, loans on, prohibited	3244
own, bank may, when	3244
personal property	3235
sale of delinquent, mode of	3234
transfer, how made	3235
value of	3235
surplus fund	3238
Bridge.	
articles of incorporation, contents	3162
filed where	3162
bridges, condition, to be kept in good ..	3165

INDEX.

	<i>Section.</i>
CORPORATIONS.—Bridge.—Continued.	
bridges, constructed only on what authority	3163
passing unlawfully, penalty	3169
reconstruction required within a year after destruction	3165
franchise forfeited when	3164
passage, unlawful interference with, penalty	3168
reports, annual to county board	3170
contents, time of making	3170
publication, penalty for failure	3171
term of existence	3162
tolls, passage prevented, until paid	3168
rates must be posted	3166
taken only when authorized]	3163
taking excessive, penalty	3166
prohibited, when	3167
prohibited, penalty for	3167
Building and Loan.	
action against insolvent	3219
borrow, has power to	3213
borrowers, option in paying loan	3207
certificate of authority, issued by state examiner	3217, 3221
revocation	3222
examination of, fees	3218
foreign, certificate of authority	3221
conditions imposed on	3220
sale of stock, misdemeanor, when	3223
formation, how made	3203
loan fund, constituted how	3211
investment of unloaned	3212
uses of, prohibited	3211
loan of funds, mode of	3206
note, secured, given for	3206
premium, minimum fixed	3210
repayment, when	3207
security, failure to give, penalty	3206
mortgage	3206
shares, when	3206
premium, minimum for loans	3210
usurious, not	3208
real estate, may purchase when	3209
reincorporation unnecessary	3225
reports, contents	3216
failure to make, penalty	3217
stockholders, deceased, fines, etc	3204
withdrawal, when, how	3204
shares, lien on	3204
paid in, when	3204
retirement of unpledged	3214

	<i>Section.</i>
CORPORATIONS.—Building and Loan. Continued.	
shares, sale of, misdemeanor. when	3223, 3224
series	3204
withdrawal and cancellation	3215
Cemetery.	
interment makes lot inalienable	3198
lots wholly exempt	3199
members, lot owners are	3197
lot owners, previous, are	3196
personalty, holdings of	3191
powers enumerated	3191, 3193
realty, holdings limited	3191
sales, proceeds, how applied	3194, 3195
surveys of lands	3192
voters, members only are	3197
Foreign.	
actions against defunct	5757
articles of incorporation filed where	3261
record of	3262
attorney for service, appoint secretary of state as	3263
building and loan	3220
conditions of doing business	3261
noncompliance with law, contracts rendered void	3265
liability of agent for	3264
officers	3264
stockholders	3264
penal statutes, subject to same as domestic	7535
rights as litigants	5756
Insurance.	
action to dissolve, authorized when	5762
agents, certificate of authority, renewal	3124
residents only can act as	3129
articles of incorporation, certified copy filed where	3090
contents	3088
examination of	3090
filed where	3088
assessments of stock, amount limited	2918
capital, invested, how only	3094
investment, illegal, penalty	3096
certificate of authority, agents must not act without	3124
examination before granting	3125
revocation of, false statement, for	3126
foreign	3128
set aside when	3126

INDEX.

	<i>Section.</i>
CORPORATIONS. — Insurance. — Con-	
<i>tinued.</i>	
certificate of incorporation, filed where	3090
chattel mortgages, void unless on separate paper	3152
commissioner of insurance, to answer inquiries of	3123
corporate suretyship authorized	3115
limit of liability	3115
dealing or trading prohibited, when	3092
definition of terms	3085
directors, liability for illegal investments	3096
liability for insuring when losses equal assets	3096
taking risk larger than law permits	3096
qualifications	3089
dividends only from surplus profits	3095
domestic, governed by what laws	3086
domestic mutual, assessment, double, reinsurance	3113
assessment made when, how	3112
record of	3112
single, cancellation of policies	3113
directors liable for assessments, when	3114
meetings, notice of, to members	3105, 3106
members, insured are	3105, 3106
liability stated on policy	3108
premium	3108
reserve, making good	3113
profits shared among members	3110
reserve fund, how used	3109
subscribed insurance, amount required	3104
surplus, distribution on life policies	3111
treasurer liable on losses, when	3114
voting by proxy, mode of	3107
domestic stock, authority to do new business ceases, when	3100
capital impaired, proceedings	3099
made good, how	3100
reduced, examination and certificate	3101
reduction, when allowed	3101
stock required	3097
policies not to be issued when liabilities exceed assets	3102
shares forfeited when	3100
subscription books opened when	3098
examination, domestic companies, when	3125
foreign companies, when, expenses	3125
fees paid insurance commissioner	3132
fidelity insurance authorized	3115

	<i>Section.</i>
CORPORATIONS. — Insurance. — Con-	
<i>tinued.</i>	
fidelity insurance, limit of liability	3115
foreign, capital stock required	3097
conditions imposed on	3133
conditions of doing business in state	3116
examination of, expenses	3125
revocation of authority	3128
formation, persons who may unite in	3087
insolvent domestic, enjoined when	3128
investment of capital and surplus	3094
life or accident, policies, issuing illegally, penalty	3127
issuing new, prohibited when	3127
name of	3088
officers, liability for illegal investments	3096
insuring when losses equal assets	3096
penalty for taking mortgages illegally	3153
no other provided	3131
policies, illegally issuing, penalty	3127
profits, estimated how	3095
purposes for which formed	3087
realty, purchase, etc., limited	3093
receivers to make statements	3122
reinsurance authorized	3091
risks, limit	3117
limit in single city	3118
statements, annual, publication of	3119
contents	3120
failure to make, penalty	3130
false, penalty for making	3130
receivers to make	3122
verification of	3121
stock, transfer, no release pending examination	3103
surplus, invested, how only	3094
investment, illegal, penalty	3096
term of existence	3088
Insurance, County Mutual.	
action for losses, brought when	3143
assessments, action for authorized	3144
computation of, basis of	3142
notice of, by secretary	3143
payment of losses, for, when made	3142
directors, election of, when	3146
liability for nonperformance of duty	3144
managers of company	3135
nonresidents cannot be	3148
number, qualification, term	3135
fire, etc., insurance, adjustment of loss	3141
fund for, separate	3136
notice of loss, contents	3141
risks classified	3142

INDEX.

<i>Section.</i>	<i>Section.</i>
CORPORATIONS. — Insurance. — Con-	CORPORATIONS. — Railroad. — Con-
<i>tinued.</i>	<i>tinued.</i>
fire, etc., insurance, sinking fund for.. 3139	business enjoined, until law complied
undertaking for, cash payment..... 3140	with 3033
formation, persons who may unite in.. 3134	cars, distribuiton to shippers..... 3025
funds, applied only to loss in depart-	furnished and run without delay 3019
ment..... 3136	common carriers, regulations apply to.. 3013
separate, for each department..... 3136	conductor, intoxication, misdemeanor.. 7320
governed by what law..... 3151	connections with side tracks to be per-
hail insurance, adjusters..... 3138	mitted 3019
adjustment of loss, if disagreement.. 3138	consolidations authorized when 2954
cash premium or note for..... 3137	articles of 2954
fund for, separate..... 3136	conveyances, execution, record..... 2958
notice of loss..... 3138	crossings, bell rung, whistle blown at
policy, conditions..... 3137	bell, failure to ring, punishment 7319
sinking fund for..... 3139	construction required..... 3000
members, nonresidents may be, when.. 3148	owner of land each side of track, for
persons who are 3146	penalty for not constructing..... 3002
withdrawal, how made..... 3147	railways, of, compensation, how de-
name 3134	termined 2947
office, located where..... 3134	requisites of..... 3001
property, kinds of insurable by..... 3145	signs at 2975
proxies prohibited..... 3146	directors, classified, may be..... 2963
purposes for which formed..... 3134	election of..... 2963
risks, authorized to insure what..... 3145	number, term..... 2945
statement submitted to members..... 3150	employees, intoxication, misdemeanor,
term of existence..... 3149	when 7320
	willful violation of duty, misdemea-
Mining, Manufacturing, Etc.	or, when..... 7321
accounts of, statement annually..... 3156	engineer, intoxication, misdemeanor... 7320
articles of incorporation, statement in	extensions authorized, proceedings.... 2952
directors, liability of..... 3161	foreign roads into state..... 2966
formation, how made..... 3154	fences required when, proceedings 2980-2982
governed by what law 3154	fine paid, no bar to action for damages 3040
loans to stockholders prohibited..... 3155	fires, liability for setting 2983, 2984
office, where located..... 3160	fixtures defined..... 2957
officers, liability for loaning funds ille-	formation, number required..... 2944
gally..... 3155	purposes of..... 2944
reports, annual to be made 3158	freight, carriage must be continuous.. 3018
contents, verification 3158	time for removing from cars..... 3059
publication of... 3158	grain, to ship without discrimination.. 3055
statements, penalty for not furnishing	highways, restoration of..... 2955
treasurer to make on demand, when 3159	ways, temporary, while obstructing.. 2973
stockholders, contribution from others,	injuries to property of, punishment 7547, 7548
when..... 3157	lease of other roads permitted when .. 2954
wages of laborers, liable for..... 3157	liability, cannot limit its common law 3020
term of existence 3154	live stock, killing, prima facie evidence
	of negligence..... 2978
Railroad.	meetings, place of holding..... 2998
action against for damages..... 3037	neglect of duty, liability for..... 3036
articles of incorporation, contents 2944	office in state, domestic, must have.... 2965
assessments of stock, amount limited 2918	penalty for not having..... 2965
branches, may build, proceedings..... 2952	officers, attendance as witnesses com-
bridges over highways, etc..... 2956, 2974	pelled 3038

INDEX.

	<i>Section.</i>
CORPORATIONS. — Railroad. — Con-	
<i>tinued.</i>	
officers, penalty for noncompliance with law	3039
personal injuries, when not liable for..	2971
platforms, construction ordered, when enlarged when.....	3062 3064
penalty for violating law..	3066
requisites of.....	3062
scales permitted on.....	3065
pooling with other roads prohibited...	3021
powers, borrow money, to	2947
enumerated	2947
purchase of other roads permitted when	2954
railroad defined	3014
rates, appeals from orders fixing.....	3034
carload, same for one as more.....	3015
coal, maximum.....	3070
penalty for violating.....	3071
commissioners fix, when, how...3031, 3032	
discrimination and rebates in, prohibited	3022
discrimination in, between connecting lines prohibited	3017
equal and reasonable.....	3015
long and short haul.....3023, 3024	
preference not to be given.....	3016
reduced, when not prohibited.....	3013
schedules, change in, how made.....	3028
filed with commissioners.....	3030
filing compelled by mandamus... 3033	
not to vary from.....	3029
requisites, open to inspection.....	3027
short haul, more than long, when ...	3023
stop over, on cars.....	3060
penalty for violating.....	3061
switching, for, but one terminal....	3026
transferring cars, for, but one terminal	3026
reports, annual to commissioners, contents	3053
contents of.....	2964
required annually.....	2964
right of way, acquiring, mode of	2947
acquiring, state lands, mode of.....	2950
compensation for state lands.....	2949
grant of, state lands, through.....	2948
map of, to be filed, penalty..... 2997-2999	
reversion of, to state, when	2951
route of road, etc., alteration, how made	2953
alteration, permitted when.....	2953
sale, conditional, record, cars marked, how.....	2960

	<i>Section.</i>
CORPORATIONS. — Railroad. — Con-	
<i>tinued.</i>	
sale, conditional, valid.....	2959
signs at crossings.....	2975
sinking fund, creation of.....	2961
station house, to maintain when, penalty.....	2985, 2986
stock transferable, when not	2946
tickets, discrimination in price, penalty	2996
fraudulent use or transfer, penalty..	2995
redemption of.....	2993
refusal of, penalty.....	2994
transfer, license, without, penalty 2991, 2993	
licensed agent, only by.....	2990
ticket agents, licensed, must be, fee...	2989
license to be exhibited	2992
tracks, coal mines, for, when.....	3057
coal mines, penalty for not building to.....	3058
connections with by elevators, etc... 3056	
injuring or obstructing.....	7547
causing death, punishment.....	7548
Y, notice on failure to build.....	3068
penalty for not building.....	3069
provided when.....	3067
traffic contracts, etc, filed where.....	3030
trains, accommodation for all, to furnish.....	2969
daily, to be run one way.....	2967
penalty for not running.....	2968
duty same on all, carrying passengers	2972
regular times, to be run at.....	2969
run without delay.....	3019
stop at crossings and drawbridges... 2977	
trainmen, number to be employed, penalty	2987, 2988
transfer facilities, ample and afforded to all.....	3017
transportation defined.....	3014
penalty for refusal of.....	2970
usury, cannot make defense of.....	2962
Religious, Etc.	
by-laws, provisions made in	3175
educational, degrees, may confer.....	3181
department of mechanics and agriculture.....	3182
donations applied how	3179
faculty composed how.....	3180
powers of	3180
fraternal, articles of incorporation, acknowledgment.....	3185
articles of incorporation, contents.....	3184, 3190

INDEX.

	<i>Section.</i>		<i>Section.</i>
CORPORATIONS.— Religious, Etc.—		COSTS.—Continued.	
<i>Continued.</i>		change of venue, liability of county... 5595	
fraternal, by-laws, adopted how..... 3188		charged separately by clerk to each	
elections and meetings..... 3189		party..... 2103	
formed by whom..... 3183		compromise, offer of, effect on 5639, 5640, 5642	
member's liability..... 3186		consolidation, effect on..... 5579	
officers prescribed by by-laws..... 3189		contests of election, bond for..... 578	
property, disposition on dissolution.. 3190		surety for, must be furnished..... 570	
term of existence..... 3187		county court, on decree or order, when 6240	
formation, mode of..... 3172		court adjusts, when..... 5585	
grants to, title vests in successors.... 3178		court's discretion, in..... 5580	
members, rights, personal..... 3177		criminal actions, in, enforced how.... 7737	
rights of subsequent..... 3176		defendant's, allowed of course, when.. 5579	
property, may acquire and sell..... 3174		defendants, for and against..... 5580	
real estate, excess over \$50,000 escheats 2860		disbursements, what allowed..... 5578	
holdings, limited in value..... 2859		disclaimer of interest, effect..... 5905	
reports, annual to members..... 3173		dismissal of action, on..... 5582	
Wagon Road.		escape, on prosecution for, how paid.. 6958	
articles of incorporation, contents.... 2862		executor not liable for, when..... 5591	
bridges and ferries over streams..... 3075		foreclosure of liens, on..... 5577	
crossings of highways, duty as to.... 3074		mortgage, of, by advertisement..... 5864	
mortgage, purposes, when authorized.. 3083		garnishee actions, in..... 5402	
persons same rights as corporations... 3084		genuineness of instrument, refusal to	
revenues of, application..... 3082		admit, effect on..... 5643	
road, injuring, penalty..... 3081		guardian ad litem, liable for, when only 5228	
laid out how..... 3073		inserted in entry of judgment..... 5585	
map of filed where..... 3074		interest on judgment, taxed as..... 5584	
toll gate, injuring, penalty..... 3081		justices' court, in (See <i>Courts, Jus-</i>	
passing around, penalty..... 3080		<i>tices'</i>)	
fraudulently, penalty..... 3081		minor, plaintiff, guardian responsible.. 5590	
tolls, passage prevented until paid 3078		motions, on..... 5589	
rates fixed by county commissioners 3075		municipal court, in..... 2235	
limited..... 3075		notice of no personal claim, effect on.. 5250	
posted, must be..... 3077		retaxation, of, procedure..... 5586	
taking illegal, penalty..... 3079		taxing, of..... 5585	
taking, where highway is used, pro-		partition, in, shared proportion-	
hibited..... 3076		ately..... 5811, 5814, 5839	
COSTS.		person of unsound mind, plaintiff, who	
actions, criminal, taxed against defend-		liable..... 5590	
ant..... 7737		plaintiff's, allowed of course, when... 5579	
actions, in, if consolidation permissi-		postponement of trial, on..... 5588	
ble..... 5579		prevailing party entitled to..... 5574	
administrator not liable for, when.... 5591		prosecution malicious..... 7965	
affidavit verifying, service..... 5585		recovery less than fifty dollars, what	
amount allowed in specific cases..... 5575		allowed..... 5579	
appeal from justices, on..... 5583		security for in quo warranto, when... 5744	
appeal, in discretion, when..... 5581		state joined as plaintiff with indi-	
assignee after action, liability for.... 5594		vidual..... 5592, 5593	
attorney's fee in instrument void..... 5576		liable same as individual..... 5592	
attorney's fees left to agreement..... 5574		statutory, to prevailing party..... 5575	
change of venue, collected from county,		surety, additional, required when.... 5601	
how..... 5595		dismissal for failure to furnish.... 5599	
		judgment against, how rendered.... 5602	

INDEX.

	<i>Section.</i>		<i>Section.</i>
COSTS.—Continued.		COUNTY.—Continued.	
surety, nonresident plaintiff must furnish	5597	commissioner districts, formation	1895
nonresident's, liability of	5598	redistricting	1894
plaintiff becoming nonresident must furnish	5600	contracts, let by commissioners, how ..	2046
taxation of, reviewed how	5587	let on competitive bids	1925
taxed as part of judgment	5578	costs on change of venue, liability	5595
trustees, not liable for, when	5591	county seats, ballots marked how	1883
COUNTERCLAIM.		changed, when	1884
action to quiet title, in, how pleaded ..	5911	election renewed once in four years ..	1886
arise out of what, must	5274	removal, for, conducted how	1882
judgment on admission of	5413	result, notice of	1883
failure to reply, on	5278	statement filed where	1885
stated separately, must be	5274	notice of election to remove	1882
(See <i>Answer</i> .)		petition for removal, signed and verified how	1880
COUNTERFEITING.		removal authorized	1880
trade-marks	7256	petition for	1880
(See <i>Forgery</i> , 7414-7437.)		submitted to vote, when	1881
COUNTY.		subsequent, effected how	1887
body corporate	1888	court room, jail and offices provided by	1922
bonds, authorized	2035, 2037	division of, authorized	1854
buildings, for	2043-2056	ballots, form	1854
certificate of debt limit necessary	2057	bonds, what districts liable	1866
commission allowed treasurer ..	2041, 2050	interest for redemption of	1874
exchange or sale of	2038	liquidating, commissioners to issue, when	1872
interest, rate of	2037	new county, date, class and interest	1870
issuance, mode of	2037	tax for to be levied	1873
negotiable, deemed when	2042	validity of	1867
payment by treasurer at maturity ..	2040	boundaries, certified by auditor, when	1855
tax levied for	2039	commissioners, law governing	1858
bonds for buildings, denominations ..	2048	county seat located how	1857
election for	2045	county treasurer, bond register, to keep	1871
unnecessary, when	2056	court, judge to appoint term of	1877
issuance, mode of	2048	districts liable for bonds	1866
limit of issue	2044	renumbered and renamed	1865
negotiable	2054	election, canvass of, conducted how ..	1854
payment at maturity	2052	certified to, by auditor	1855
power to issue	2043	conducted how	1854
proceeds	2050	governed by general law	1859
refunding	2055	electors may petition for	1854
registration	2053	fees of commissioners	1868
sale, notice	2049	governor appoints commissioners ..	1855
tax levied for	2051	indebtedness, apportioned how	1861
bonds, refunding may be issued	2035	basis of equalization	1861
buildings, accounts for to be audited ..	2047	equalized by commissioners	1861
contracts for, how let	1925, 2046	paid how	1869
erection	1923, 1924	judicial subdivision	1876
insurance	1966	money apportioned how	1863
repair	1923, 1924	paid to new county when	1863
sale or destruction	1926	officers appointed by commissioners	1856

INDEX.

COUNTY.—Continued.	<i>Section.</i>	COUNTY.—Continued.	<i>Section.</i>
division of, petition for, contents.....	1854	organization, election, ballots numbered	1836
petition directed to whom.....	1854	ballots, preserved how.....	1837
property, basis of division.....	1862	called how.....	1824
divided by whom.....	1862	canvass of votes conducted how ..	1840
records, transcribed, how and when..	1860	canvassers, duty of.....	1840
redistricting of counties.....	1864	canvassing board, who are.....	1840
revenue disposed of, how.....	1875	inspector, appointment.....	1832
term of officers appointed.....	1856	ballot box and poll books, to fur-	
writs and bonds returnable where ...	1879	nish.....	1833
election, notices posted by whom and		compensation paid how.....	1842
where.....	1829	powers and duties.....	1834
examination of affairs by state exam-		judges, appointment.....	1828
iner.....	140	vacancies filled how.....	1830
expenditures, extraordinary, submitted		law governing.....	1831
to vote.....	1911	notice, failure to post does not in-	
voted on, how.....	1912	validate.....	1844
funds, deposited in county depository..	1945	form of.....	1824
depositories (See <i>County Deposi-</i>		officers, compensation paid how...	1843
<i>tories.</i>).....	1939-1951	misconduct, penalty.....	1839
special taxes, from, how kept.....	1916	poll books deposited where.....	1838
special, transfer of.....	1918	return of.....	1837, 1838
transfer of unexpended balances....	1917	polls opened, no adjournment.....	1837
judgments against, paid how.....	1889	precincts prescribed how.....	1827
lines, changing, area, minimum.....	1850	proceedings, if set aside.....	1845
ballots, form of, marked how.....	1849	governor, duty of.....	1824
debts paid by territory transferred,		method of.....	1823
how.....	1851	office deemed vacant when.....	1841
released, when and how.....	1852	officers elected when.....	1825
election, called how.....	1853	qualify when.....	1841
notice of posted how.....	1848	petition for.....	1823
required.....	1847	voting, illegal, penalty for.....	1835
returns of.....	1847	powers of.....	1888
method of changing.....	1847	purchaser at tax sale, may be.....	1285
officers hold office, where.....	1849	seal of.....	1897
petition to commissioners.....	1847	survey, original field notes procured...	1910
requisites of.....	1847	taxes, state, responsible for.....	1248
population, minimum.....	1850	treasurer defaulting, to pay.....	1249
taxes, collection of, made when....	1849	treasurer defaulting, recourse of.....	1249
time when territory transferred.....	1849	unorganized, assessments in, author-	
map of, may be procured.....	1910	ized.....	1336
officers, accounts of delinquent, adjust-		assessments, expenses paid how ...	1337
ted.....	1934	made how and by whom.....	1336
assuming to be, falsely, misdemeanor	6902	record of instruments.....	3569
blanks, to provide at expense of coun-		taxation in, authorized for what...	1336
ty.....	308	tax list delivered when.....	1338
enumerated.....	1890	prepared by whom.....	1338
settlement with counties.....	1932	warrants, canceled when.....	1904
organization, annexed territory part of		drawn by auditor.....	1974
county.....	1846	interest on.....	1935
commissioners, powers of.....	1842	issued how.....	1919
county seat, selection of, manner....	1826		
elections, adjournment, none after			
polls open.....	1837		

- INDEX.

	<i>Section.</i>
COUNTY AUDITOR.	
abstracts of tax lists, to furnish state auditor.....	323
votes, of, neglect to make.....	7035
abstracter's certificate, to issue when..	1776
account kept with treasurer.....	1972
acknowledgments, may take.....	3574
action against, for misappropriation...	1978
affidavit for wolf bounty, retains.....	1568
assessment roll, transcribes.....	1221
assessors, notices and blanks, furnishes to.....	1180
township, appoints, when.....	2580
bankrupt stocks, to enter on roll.....	1342
blanks, cactus, to furnish.....	1716
blanks, to provide at expense of county	308
cash book, treasurer's duplicate, to keep.....	1235
city tax list, to make.....	2495
clerk of county commissioners.....	1971
clerk of school land sales, compensation	190
commissioners, furnishes copy of proceedings to publish.....	1937
county board of appraisers, member of	183
deaf and dumb, reported by.....	961
deputy, bond of.....	370
provision for.....	370, 2074
responsible for acts of.....	370
documents, etc., delivers when.....	69
duties of.....	1971-1977
refusal to perform, misdemeanor.....	7363, 7368
elections, abstract of votes, transmits to secretary of state.....	527, 532
ballots, etc., prepares and distributes.....	492, 495
canvassing board, calls together.....	527
canvass returns, refusing to.....	7035
division of county, for, certifies as to	1855
certificates of, issues.....	527, 529
neglect to issue.....	7035
duties.....	1977
nominations, publishes.....	505
notice of, gives.....	512
game permits, fees, report.....	1646
issues when.....	1645
herd law, duties as to.....	1565
jurors, acts in selection of.....	449
notice of apportionment.....	446
liability of.....	1978
lists of assessable lands, to furnish....	1222
lists of taxable lands, to furnish assessors.....	1180
meetings, special, called by.....	1898

	<i>Section.</i>
COUNTY AUDITOR.—Continued.	
nominations, to preserve certificates of	503
notice to owners to destroy cactus.....	1691
orders to certain treasurers, not to issue when.....	346
owners of personalty, to furnish names of.....	1222
peddlers, licenses when.....	1741
proceedings of commissioners, furnishes copy of.....	1937
receipts to treasurer for what.....	1233
records of, as evidence.....	1976
delivers to successor.....	1973
report of school land sales and leases..	190
reports of supreme court, to brand....	400
distribute, to.....	401
reports violations of statistic law.....	125
road tax list, extends delinquent.....	1141
salary.....	2073
school districts, to furnish map of, to state auditor.....	669
school lands, contracts, duty as to....	191
leases, duty as to.....	224
statement, annual, to make.....	1322
state land collections by treasurer, of	211
statistics, duty as to.....	1041-1043
taxes, charges treasurer with.....	1234
uncollectible, report of.....	1243
tax certificates, to file canceled.....	1271
deed, attests.....	1268
duplicate list, makes.....	1221
lists, delivers to treasurer when....	1223
unorganized counties, delivers when	1338
prepares when.....	1338
paid, duty as to.....	1231
receipts, charges treasurer with	1229
shortages in.....	1229
custodian of.....	1233
townships, transmits name of to state auditor.....	2530
treasurer, sues when.....	1314
accounts of, duties as to.....	1233
vacancy in legislative assembly, notifies governor of.....	550
office of, in, filled how.....	1898
vouchers, receipts to treasurer for....	1233
warrants, draws.....	1974
draws under cactus law, when.....	1690
numbers.....	1975
registers.....	1975
road improvement, issues.....	1086

INDEX.

	<i>Section.</i>		<i>Section.</i>
COUNTY BOARD OF APPRAISERS.		COUNTY COMMISSIONERS.— <i>Con-</i>	
duties as to school lands.....	183	<i>tinued.</i>	
schools lands, appraise for sale and		districts, formation of.....	1892, 1895
lease.....	183, 218	redistricting.....	1894
COUNTY BOARD OF HEALTH.		division of county, submit to vote.....	1854
(See <i>Boards of Health, 245-252.</i>)		drain commissioners, appoint.....	1445
COUNTY COMMISSIONERS.		drainage, make rules for.....	1468
accounts of delinquent officers adjusted		drunkards, habitual, supervise treat-	
by.....	1934	ment of.....	1801
actions for taxes, may institute.....	1274	duty, refusal to perform, misde-	
appeals from, authorized.....	1927	meanor.....	7363, 7368
bond.....	1927	election, change county line, to, order	
filing.....	1929	when.....	1847
power of court.....	1931	inspectors of, appoint when.....	484
state's attorney to take, when.....	1927	precincts, divide county into.....	481
time for taking.....	1928	expenditures, extraordinary, submitted	
trial de novo.....	1930	to vote.....	1324, 1911
appointment when officer temporarily		equalization, materially changing, mis-	
suspended.....	363	demeanor, when.....	1330
apprenticeship, duties as to.....	2844	estray paper, appropriation for.....	1574
appropriation, estray paper, for.....	1574	ferries, leases, declare forfeited when	1175
fire guards, for.....	1670	leases, grant.....	1167, 1168
assessment, agreeing to false, pun-		fire districts, divide county into.....	1664
ishment.....	7364, 7366	fire guards, appropriation for.....	1670
uniform, instructions to secure.....	1179	fishways, build when.....	1650
bankrupt stocks, to equalize when....	1342	gopher tax, authorized to levy.....	1344
blanks, to provide at expense of county	308	funds, to expend.....	1345
bonds, drainage, levy tax to pay.....	1474	highways, to order survey for.....	1083
issue on division of county.....	1873	indebtedness, extraordinary, submit to	
bounty, offer for killing wolves when..	1566	vote.....	1324, 1911
bridges, advertisement for bids to con-		jails, duty regarding.....	8607
struct.....	1088	rules and regulations, to print.....	8599
repair when.....	1090	jurors, apportion names for.....	444
rivers, over, appropriation of one-half		duty, if less than two hundred on list	445
cost.....	1092	jury, provide room for.....	8222
rivers, over navigable, petition for...	1092	market places for selling chattels, des-	
supervise when.....	1090	ignate.....	5893
chairman, duties of.....	1899	meetings, special, called how.....	1898
election of.....	1899	time and place of.....	1898
member board of appraisers.....	183	misdemeanor, guilty of, when.....	1330
children, action for support of.....	2786	notices and blanks for listing property	1179
clerk, county auditor is.....	1971	noxious weeds, judgment for destruc-	
compensation.....	2095	tion, obtain.....	1685
commissioners of insanity, appoint....	1513	manner of destroying, determine....	1683
contempt of, punished how.....	1902	time of destroying, determine.....	1683
contests of county seat elections, duties	568	number of, changed how.....	1893
county buildings, authority to pro-		determined how.....	1892
vide.....	1923, 1924	officers, appoint when county divided	1856
contracts, how let.....	1925	derelict, duty of, as to.....	1308
court room, jail, etc., provided by....	1922	records of, examine.....	307
county seat locate when.....	1857	order, power to preserve.....	1902
submit removal when.....	1881	overseers of poor, are.....	1475
		physician for poor farm, appoint.....	1497
		poor, make allowance to.....	1480

INDEX.

	<i>Section.</i>
COUNTY COMMISSIONERS.— <i>Con-</i>	
<i>tinued.</i>	
poor farm, purchase when	1495
powers enumerated	1906
general	1905
prairie fires, provide what to prevent..	1663
proceedings, auditor to furnish copy to	
official paper	1937
evidence	1901
publication	1936-1938
record books	1903
records	1921
redemption money, require account for	1933
road districts, apportion when	1096
supervisor, levy tax to pay	1109
pay when	1112
tax expended how	1108
Russian thistle, destroy when	1697, 1698
scales, public, establish when	1733
seal of county procured by	1897
sessions, held where	1920
public	1920
sheep inspectors, to require statement	1611
remove when	1641
superintend fiscal affairs	1907
taxes, city, levy when	1343
county, levy when	1219
unorganized, equalize	1337
levy	1337
delinquent, compromise when	1346
highway improvements, levy	1083
road and cactus, levy	1703
special, levy how and when	1911-1915
vote, record of	1915
state, unpaid, duty as to	1349
support of poor, levy	1505
towns, levy when	1343
uncollectible, determine what are ...	1243
tax lists, attach warrants to	1223
sale, authorize treasurer to purchase	
at	1285
term of office	1896
tie vote, defers action	1900
treasurer, bond, may require additional	1316
delinquent, may remove	1315
settlement with, make when	1251
final, made when	1254
vacancies in, filled how	366
temporary suspension, from, fill	363
valuations of state board govern	1330
wagon road corporation, duties as	
to	3074, 3075
warrants, canceled by	1904
chairman signs	1899, 1919

	<i>Section.</i>
COUNTY COMMISSIONERS.— <i>Con-</i>	
<i>tinued.</i>	
weights and measures, make regula-	
tions to test	1729
COUNTY DEPOSITORIES.	
bond of	1941
checks on, how signed	1948
deposits to be equal among	1943
designated how	1939, 1944, 1949
funds deposited in, by treasurer	1945
proposals, acceptance	1941
advertisement for	1940
contents	1940
equal, how determined	1942
statement by, monthly	1947
treasurer exempt from liability, when..	1950
violations, a misdemeanor	1951
COUNTY SEAT.	
(See <i>County.</i>)	
COUNTY SUPERINTENDENT OF SCHOOLS.	
absence from county and other business	
prohibited	655
permissible when	657
appeals from school officers decided by	644
superintendent of public instruction,	
to	644
appraiser of school lands, duty as ...	650
blanks to be distributed by	641
provide, to, at expense of county ...	308
boundaries of districts, rearranges ...	666
certificates, grades	741
proceedings by, to revoke	745
revoked by, when	648, 744
valid, where	742
deputy, appointment	652
duties	639
refusal to perform, misdemeanor	7363, 7368
election and term of office	638
examinations for teachers' certificates	
held by	740
fees as appraiser of school lands	650
fees of, how disposed of	646
instructions of superintendent of pub-	
lic instruction, duty as to	641
map of school districts, furnishes to	
assessors	643
meetings with school officers	643
superintendent of public instruction,	
with	632
member of county board of appraisers	183
oaths, may administer	645

INDEX.

	<i>Section.</i>		<i>Section.</i>
COUNTY SUPERINTENDENT OF SCHOOLS.—Continued.		COUNTY TREASURER.—Continued.	
office and supplies furnished for.....	651	bond, additional, gives when.....	344
permits for teaching, grants when.....	741	additional, refusal to give vacates office.....	345, 1317
qualifications of.....	653, 654	required when.....	344, 1316
citizenship, residence, etc., as to....	672	covers duties as to school lands.....	209
records, etc., to be kept by.....	642	county auditor to keep.....	342
school visits, of, to keep.....	640	bonds, commissions allowed on...2041, 2050	
removal from office, causes for.....	656	books, records, etc., delivers to successor.....	1254
reports, annual to superintendent of public instruction.....	649	cash book, balanced annually, to be...1302	
salary and mileage of, how determined	652	failure to balance, penalty.....	1303
schools under supervision of.....	639	entries in, what and how made.....	1232
state tuition fund, apportions when	647, 715	required to keep.....	1232
superintendent of public instruction, advises and counsels.....	629	city taxes collected by.....	2191
teachers, (See <i>Teachers</i> .)		paid to city treasurer monthly.....	2191
certificates, revokes when.....	648, 744	collector of city taxes.....	2191, 2496
convened by, to be.....	641	county taxes.....	1964
teaching by, not permitted.....	654	drain taxes.....	1458
permissible when.....	657	village taxes, when.....	2378, 2379
vacancy, how filled.....	727	compensation for collecting village taxes.....	2380
visitation of schools, duty as to.....	640	county commissioners, vacancies, assists in filling.....	366
COUNTY SURVEYOR.		deposit of funds exempts, from liability	1950
assistants, how paid.....	2034	deputy, appointment.....	370, 1226, 2081
blanks, to provide at expense of county	308	bond.....	370
chainmen to be under oath, when.....	2031	liability for.....	370, 1226
compensation for road surveys.....	1087	salary.....	2081
deputy, appoint, may.....	370	distress and sale, collects taxes by, when.....	1237
bond of.....	370	duties of, generally.....	1963
responsible for acts of.....	370	duty to insure county buildings.....	1966
duties.....	2028	refusal to perform.....	7363, 7368
refusal to perform, misdemeanor	7363, 7368	elections, assists in canvass, when....	527
fees.....	2094	fees, certificate to abstract.....	1967
bill of, to keep posted, penalty.....	2105	collections on state lands.....	210
field notes and plats, record of.....	2029	distress, levy and sale by.....	1245
records of, as evidence.....	2029	generally.....	2080
show, what to.....	2032	sale under execution.....	1287
resurveys and subdivisions, made how.....	2030, 2033	funds, county, deposited with depository.....	1945, 1946
COUNTY TREASURER.		county, loaning prohibited.....	1320
abstracts of title, duty to certify.....	1967	disburses how.....	1321
accounts, final.....	1254	quarterly.....	1321
method and publicity of.....	1965	public, loaning is embezzlement.....	1323
school corporations, keeps with.....	719	state, pays when.....	1294
settlement of.....	1965	transmits how.....	1294
state treasurer, with, transmitted annually to county auditor.....	1253	interest paid on warrants not credited to, when.....	1319
action for taxes, institutes, when due parties to.....	1274, 1275	judgment for taxes, duty of.....	1283
assessment, reports erroneous to auditor.....	1236	jurors, acts in selection of.....	449
blanks, to provide at expense of county	308	moneys paid out how.....	1964

INDEX.

	<i>Section.</i>		<i>Section.</i>
COUNTY TREASURER.—Continued.		COUNTY TREASURER.—Continued.	
office vacant, when.....	1317	tax receipts, false, delivery, felony....	1306
hours, what to keep.....	1233	fraudulent, delivery, felony.....	1307
payment of taxes, duty on.....	1281	tax deed, executes.....	1268
penalty for refusal to obey summons ..	1241	issues when, on execution sale	1286
posse, may summon when	1241	tax sale, purchases at, when.....	1285
receipts, delivery to auditor.....	1233	terms of, limited.....	1891
duplicate, to issue.....	1228	township funds, notice to clerk.....	1970
money received, to make for	1309	warrants, canceled, delivers to auditor	1233
finer, to give for.....	1233	notice to holders.....	1301
records, etc., delivers to successor....	1254	redeemed, duty as to.....	1311
redemption, duties in.....	1264	register for payment, to.....	1300
removed, may be, when suit brought		register, liability for failure to.....	1305
for delinquency.....	1315	road fund, duty as to.....	1312
reports, makes quarterly	1250	speculation in, forbidden.....	1318
state tuition fund, quarterly.....	711	warrant book, foots and closes an-	
township clerks, to.....	1968	nually	1302
road labor receipt, duty as to.....	1126	form and contents of.....	1297
sales, judgment, duty as to.....	1283	keeps	1297
made wrongfully, liable for.....	1272	warrant register, form of.....	1299
real property, fees.....	1255	keeps	1299
makes	1256	wolf scalps, burns.....	1568
notice of, gives.....	1255		
report filed with auditor	1259		
school lands, payment on, duty as to..	208	COURTHOUSE.	
school taxes, collector of.....	720	selling liquor in, misdemeanor.....	7021
settlement, county commissioners, with,		COURT MARTIAL.	
when	1251	powers not affected by penal code.....	7735
final, made when.....	1254	COURTESY.	
state, with, when	1252, 1294	abolished	3743
penalty for failure.....	1252, 1295	COURTS.	
state examiner, supervises.....	139	In General.	
statement, annual, to make.....	1322	adjournment, effect of, on criminal	
state taxes collected, of, to state		action.....	8229
auditor monthly.....	324	clerk, may take acknowledgments....	3574
state's attorney prosecutes bond of,		enumerated	5162
when	1985	expenses of, paid by county.....	1922
successor, to deliver what to.....	1254	judge may take acknowledgments	3574
taxes, apportions when.....	1234	open on Sundays for what purposes...	5164
collector of.....	1226	open, when not.....	5164
consolidated, apportions when	1234	persons excluded when	5163
delinquent, collects and receipts for..	1225	racine near, misdemeanor, when.....	7020
enters.....	1224	sittings public.....	5163
pays when	1247	trustor, is when.....	4280
fees and mileage for demand	1245		
liable for, with interest, when.....	1229	County.	
municipal, failure to pay over, pen-		action, postponement, when jurisdic-	
alty.....	1247	tion increased.....	6599
pays when	1247	administration, grants when	6179
payment, duties on.....	1231	administrator, accounts, settles.....	6178
uncollectible, furnishes list to auditor	1243	appointment of	6177
unorganized counties, collects.....	1337	attendance compelled.....	6366
collects when	1339	removal of, when	6365
paid how	1337		

INDEX.

<i>COURTS.—County.—Continued.</i>	<i>Section.</i>	<i>COURTS.—County.—Continued.</i>	<i>Section.</i>
appearance of parties.....	6183	judgments, force and effect of.....	6186
citations, issues.....	6187	jurisdiction, coextensive with the state,	
obedience to, enforces.....	6187	when.....	6184
clerk appointed how and by whom	6173, 6613	generally.....	6177
attorney, cannot be.....	6173	obtained how.....	6183, 6202
clerk of district court is, when.....	6613	partition, in.....	6517
compensation.....	6613	probate and testamentary matters, in.....	6177
powers and duties.....	6173, 6174, 6613	retained by court first acquiring....	6179
contempts, punishes.....	6189	jurisdiction increased, action certified	
decrees, power as to.....	6187	to district court, when.....	6593
estates of decedents, to distribute....	6178	action, continued when.....	6598
executor, accounts, settles.....	6178	criminal, jurisdiction.....	6601
appointment of.....	6177	adjournment.....	6599
attendance compelled.....	6366	answer filed when.....	6610
removed when.....	6365	appeals, concurrent jurisdiction.....	6592
fees.....	2071	taken how.....	6591
guardian, accounts, settles.....	6178	bailiff appointed how.....	6600
ad litem, not applicable in.....	6180	calendar.....	6590
appointment.....	6177, 6180	complaint filed when.....	6609
attendance compelled.....	6366	counsel, assignment of.....	6607
removal of, when.....	6178, 6365	defendant bound over to, when.....	6602
heirship, determines when.....	6179	demurrer filed when.....	6610
power as to.....	6178	executions, issued how and when....	6612
issues, tries when.....	6230	judge appoints bailiff.....	6600
judge, acts, official.....	6168	compensation.....	6600
attorney, cannot be, when.....	6172	judgment a lien, when.....	6612
attorney, cannot be partner of, when.	6172	jury selected how.....	6594
blanks, to provide at expense of county	308	new trials.....	6595
clerk, act as his own, may.....	6173	plea, when taken.....	6605
appointment by.....	6173	powers.....	6596
provision for salary.....	2069, 2070	practice in.....	6588
responsible for acts of.....	6173	process, powers of.....	6596
disqualification, proceedings.....	6182	service in other counties.....	6597
duty, refusal to perform, misdemean-		stenographer, appointed how.....	6617
or.....	7363	compensation.....	6617
fees of.....	2071	duties.....	6617
covered into treasury.....	2071, 2072	summons, requisites of.....	6608
marriage license, for recording....	2727	terms of.....	6589
magistrate, may act as when.....	7758	trial by jury, when.....	6603
marriage license, issues, duties.....	2725	warrants issued when.....	6604
issuing illegally.....	7272	letters testamentary, grants when	6178, 6179
marriage license and certificate, re-		revokes when.....	6178
cords.....	2727	objections, how taken.....	6185
office, where kept.....	6170	office furnished how.....	6170
records, delivery to successor.....	6171	kept where.....	6170
required to keep.....	6171	open when.....	6171
salary of, amount, increased jurisdic-		open, always.....	6168
tion.....	6615	orders, may enter as of former time...	6187
county reimbursed how.....	2071	force and effect of.....	6186
determined how.....	2068, 2070	may open, modify or vacate when ...	6187
prohibition law, under.....	7596	organization of.....	6167
seal procured by.....	6169	parties, appearance of.....	6183
wills deposited, duty as to.....	3655, 3657		

INDEX.

	Section.
COURTS.—County.—Continued.	
parties, attendance of, may compel....	6187
citation of.....	6183
persons of unsound mind, may place in [*]	
asylum.....	2830
pledges, etc., orders paid when.....	6422
population, basis of salary.....	6614
postponements, may grant.....	6187
powers, general.....	6178
incidental.....	6187
proceedings in, construed how.....	6186
process, issues.....	6187
served by whom.....	6616
service, compensation.....	6176, 6616
constable, made by, when.....	6175
sheriff to make.....	6175
property of decedents, directs disposition of.....	6178
disclosure compelled.....	6378, 6379
realty, orders investment of proceeds..	6574
record, court of.....	6167
records, bonds.....	6193
books to be consecutively numbered	6196
cases to be consecutively numbered..	6197
certifies transcripts of.....	6187
composed of what.....	6192
docket, contents.....	6193
form.....	6194
index, to have chronological.....	6193
proceedings in.....	6193
docket register, kept how.....	6193
force and effect.....	6186
index, general, how kept and where	6193
inspection, open to.....	6171
journal, contains what.....	6193
entries to be made.....	6193
letters.....	6193
wills.....	6193
rehearing granted, duty (See <i>Estates of Decedents.</i>).....	6253
seal, description of.....	6169
taxes, ordered paid when.....	6422
terms.....	6168
transfer of cases, affidavit for, summary	6190
appeal from.....	6191
causes for.....	6188
effect.....	6191
granted when.....	6189
order for, contents.....	6190
papers transmitted.....	6191
petition for.....	6189
summary, when.....	6190

	Section.
COURTS.—County.—Continued.	
trials, postponement granted	
when.....	6227, 6228
postponement ordered how.....	6229
power of court.....	6231
time of, jurisdiction increased.....	6611
wills, admits to probate.....	6178
takes proof of, when.....	6179
(See <i>Estates of Decedents.</i>)	
District.	
adjournment by clerk.....	1991
attorney, may revoke license of.....	432
appeals from county court, findings on	6276
order on, transmitted how.....	6279
powers of.....	6274
bail, may take when.....	8453
bailiffs, may appoint.....	2106
crier of.....	2004
crimes, how prosecuted in.....	7979
decisions of, final, how reviewed.....	7757
districts, state divided into seven.....	402
first, defined, terms of court.....	403
second, defined, terms of court.....	404
third, defined, terms of court.....	405
fourth, defined, terms of court.....	406
fifth, defined, terms of court.....	407
sixth, defined, terms of court.....	408
seventh, defined, terms of court.....	409
chambers, where held.....	410
habeas corpus, power in cases originating in supreme court.....	5166
holidays, terms commencing on.....	412
judges, bail, may take when.....	8453
certificate to state auditor.....	5450
decisions compulsory within what time.....	5450
election and term.....	402
jails, charge to grand jury regarding	8605
rules, may amend.....	8601
rules, may prescribe.....	8598
judgments on matters not pending in district vacated when.....	5180
jurisdiction outside of district, how conferred.....	5179
jurisdiction throughout state, what matters not pending in district, hear and determine when.....	5179
orders, judgments, etc., of, are those of court.....	5178
orders on matters not pending in district vacated when.....	5180
salary.....	413

INDEX.

COURTS.—Justices'.—Continued.	<i>Section.</i>	COURTS.—Justices'.—Continued.	<i>Section.</i>
forcible detainer, judgment, form of...	6712	stay of execution, time of.....	6718
legal representative may bring when	6679	summons, attachment	6643
maintainable when.....	6677	attorney's name indorsed on	6638
notice to quit.....	6678	contents	6637
issues, classified how.	6657	service by publication	6643
law, determined how	6658, 6659	form of, by publication	6643
judgment, attachment.....	6711	service and return	6640
claim and delivery.....	6710	service in other counties	6641
confession, by, may be entered.....	6701	made how.....	6642
court, by, entered when.....	6708	style of.....	6637
default, when	6702	surety for costs given how	6636
dismissal, when.....	6705	title to real estate	6670
entered when	6707	trial, commenced when.....	6646
excess remitted how.....	6709	motion to set aside verdict not enter- tained.....	6700
forcible detainer, form.....	6712	title to real estate questioned, pro- ceedings.....	6670, 6671
offer of, costs.....	6713	venue, change of.....	6652
personal property, affecting.....	6704	jurisdiction on change of.....	6654
pleadings, on, when.....	6703	one change only allowed.....	6653
set aside how	6706	proceedings on change.....	6654
jurisdiction, action to recover money..	6623	verdict, motion to set aside not enter- tained.....	6700
action to recover possession of per- sonal property.....	6623		
claim and delivery.....	6623	<i>Criminal Actions.</i>	
counterclaim, a separate action.....	6623	appeals, bond on.....	6781
forcible detainer.....	6623	bond, approval	6784
foreclosing liens on chattels.....	6623	conditions.....	6783
trespassing animals.....	6623	dismissal in district court not allowed	6788
generally	6623	effect of.....	6787
judgment by confession.....	6623	justice transmits to district court....	6786
jury, deposit for.....	6685	new trial in district court.....	6787
oath	6692	proceedings after	6787
verdict, form.....	6698	right of, defendant to be informed of	6766
minor's appearance.....	6634	taken how.....	6782
nonresidents give surety for costs.....	6636	time of.....	6781
papers, genuineness admitted, when...	6668	witnesses placed under bond, when..	6785
production and inspection.....	6668	bail, defendant entitled to.....	6748
pleadings, amended, demurrer to.....	6667	complaint, form.....	6742
amendments allowed when.....	6666	requisites	6740
order	6656	sworn to.....	6741
requisites of.....	6655	defendant, counsel for.....	6746
title to real estate raised	6670	discharged when.....	6764
postponements, application, on, show- ing required.....	6650	punishment, if found guilty.....	6765
consent, by	6649	docket, plea of defendant entered	6754
forcible detainer, when	6651	proceedings entered on.....	6739
time for which granted.....	6648	verdict of jury entered.....	6763
time of, limited.....	6651	jurisdiction, change of venue, on	6751
publication, service by	6643	criminal actions, in.....	6624
stay of execution, appeal not allowed after	6722	jury, challenges to.....	6758
effected how	6719	formed how	6757
execution after stay	6721	oath to.....	6759
recalls	6720	verdict	6761

INDEX.

	<i>Section.</i>		<i>Section.</i>
COURTS.—Supreme.—Continued.		CREDITORS.—Continued.	
jurisdiction defined	5165	preference by debtor valid	5050
license of attorney, may revoke.....	432	preferring, unlawfully	7513
marshals authorized by law, compensa- tion.....	396	CRIME.	
liability on bond	398	accessories, misdemeanor, none in....	6827
persons who act as	397	persons who are.....	6826
open always in proceedings against car- riers	3052	punishment of.....	6828
writs, for issue and hearing of.....	5166	attempts to commit, defined.....	7693
power to execute judgments, decrees, etc.....	5168	punishment.....	7693, 7694
reporter, appointment, qualifications, term.....	389	acts constituting, defined.....	6803
bond, approval.....	390	determined by what law	6801
reports, to secure copyright.....	393	acts punishable as, determined by what law	6801
prepares for publication	391	classified	6803, 7742
supervises publication.....	393	compounding, punishment for.....	6997
salary.....	395	coverture, duress inferred from, when	6820
reports, distribution of, who entitled to	399, 401	conviction for, does not work forfeiture	7710
publication of, number, etc.....	394	defined	6802, 7741
rules for conduct of causes, may make	5168	degree of, court to hear evidence..	8290, 8291
supplies for, procured by clerk..	382	jury must find.....	6807
syllabus of decision to be filed.....	5169	division of.....	6803, 7742
terms, special, when held, notice of....	378	duress as excuse for.....	6818-6821
time and place of holding	377	felony defined.....	6804
writs, have power to issue what	5165	punishment, generally.....	6811
COVENANTS.		insane person, act of not punishable as	8398
benefit of, taken by third person	3530	intoxication, effect on intent.....	6815
form of (real property).....	3957	misdemeanor, compromise of, when allowed	8409
usual, defined.....	3956	compromise, stay of proceedings	8410-8412
(See <i>Property, Real.</i>)		defined	6804
COVERTURE.		punishment for, generally.....	6812
crimes, what not excused by.....	6820	morbid propensity to commit, no de- fense.....	6816
duress inferred from, when.....	6820	omissions constituting, defined.....	6802
inferred from, when not.....	6821	determined by what law.....	6801
exonerates from punishment, when..	6818	punishable as, determined by what law	6801
inference from, rebuttal of....	6822	parties to, classes.....	6824
CREDITORS.		persons capable of, committing.....	6814
debtor's acts, can avoid, when only....	5054	liable to punishment for.....	6813
defined	5048, 5113	prevented by interference of officers, etc	7762, 7763
fraudulent conveyance, misdemeanor..	7511	resistance, may be, by lawful.....	7762
lien dependent on possession extin- guished as to, when	4698	principals in, defined.....	6825
mortgage, personalty, invalid as to, un- less refiled.....	4737	prosecuted how.....	7745, 7979
void against, unless filed.....	4733	punishment for, classes of.....	6802
order of resort for payment.....	5051	second offense, first not in state.....	7699
personalty, transfer without possession presumed fraudulent as to	5053	punishment	7696-7698
		CRIME AGAINST NATURE.	
		complete, when.....	7187
		defined, punishment.....	7186

INDEX.

	<i>Section.</i>		<i>Section.</i>
CROPS.		DAMAGES.—Continued.	
injuring standing, etc.....	7571	measure of for, bills of exchange, dis-	
CRUELTY, EXTREME.		honor of foreign.....	4957, 4958
divorce, ground for, defined.....	2739	carrier's delay in delivering freight..	4994
CRUELTY TO ANIMALS.		death by wrongful act.....	5974
agent, appointment and duties of....	1586	depository for keeping, negligence of	4019
expenses of, paid how....	1587	messages, refusing or postponing....	4253
investigation.....	1586	personalty wrongfully converted	5000-5002
DAIRY PRODUCTS.		real property, ejecting forcibly from	
brands on must designate character,		possession.....	5007
etc.....	7641	willfully held over.....	4999
butter defined.....	7648	wrongfully occupied.....	4998
cheese defined.....	7648	roads over public lands.....	1078
cheese factory, etc., must procure		seduction.....	5003
stencils, etc.....	7646	tenant's not quitting after notice of	
imitations of, must be stamped, etc...	7640	intention.....	5005
not branded, prima facie evidence,		tenant's willfully holding over after	
when.....	7645	notice to quit.....	5006
possession, prima facie evidence....	7643	timber, etc., wrongfully injuring....	5008
selling imitations without branding	7639, 7642	wrongs in general.....	4997
specimens analyzed, certificate of.....	7644	measure of for breach of agreement to	
transportation of, not prohibited.....	7647	accept and pay for personalty, if	
DAM.		title in buyer.....	4987
destroying, etc.....	7577	agreement to buy real property.....	4984
DAMAGES.		convey real property.....	4983
animals, injuries to, exemplary given..	5004	deliver personalty paid for.....	4986
carrier's violation of duty, treble.....	3040	deliver personalty not paid for....	4985
claims against cities, presented for		pay for personalty, if title not in	
audit....	2172-2174	buyer.....	4988
clearly ascertainable, must be, when..	4978	carrier's obligation to accept freight,	
conversion, presumption of detriment		etc.....	4992
from, who cannot repel.....	5001	deliver freight.....	4993
recovery of inferior lienor.....	5002	contract.....	4978
defined.....	4971	covenant against incumbrances....	4982
detriment, awarded for, after action		quiet enjoyment, of.....	4981
begun.....	4973	right to convey, of.....	4981
defined.....	4972	seizin, of.....	4981
exclusive of exemplary, when.....	5013	warranty, of.....	4981
exemplary, jury may give, when.....	4977	obligation to pay money.....	4979
minor, when not subjected to.....	2710	promise of marriage.....	4996
person of unsound mind, when not		warranty of agent's authority.....	4995
subjected to.....	2710	fitness of personalty for particular	
future loss, for.....	4973	purpose.....	4991
interest, allowed in discretion of jury		quality of personalty.....	4990
for fraud, etc.....	4975	title to personalty.....	4989
persons damaged entitled to, when..	4974	mitigation of, defendant may show what	
lien upon trespassing animals.....	1557	in conversion.....	4695
limited to benefit to have been derived		nominal	5016
from performance.....	5014	reasonable, must be	5015
liquidated by contract, may be when...	3924	remedy, civil, for, not affected when ..	7733
malicious mischief, for, treble.....	7556	value of instrument, that of property to	
		which it entitles its owner.....	5012

INDEX.

	Section.		Section.
DAMAGES.—Continued.		DEATH.	
value of property, buyer, deemed what		action not abated by	5234
to.....	5010	arson causing, murder, when.....	7095
owner, deemed what to.....	5010	bastard, attempts to conceal	7697
peculiar, deemed to be when.....	5011	civil, by life sentence.....	7707, 7708
seller, deemed what to.....	5009	design to effect, inferred when	7060
DEAD BODY.		explosives, caused by keeping illegally	7093
attaching for debt.....	7202	feloniously causing, bar to taking under	
burial, duty as to.....	7189	will	3682
duty of whom.....	7195	gun, caused by set or spring.....	7094
neglect of, misdemeanor	7196	judgment of, certificate of execution...	8323
custody, who entitled to.....	7197	defendant becoming insane after	8309
disposal of one's own.....	7188	kept where	8320
dissection of, allowed when.....	7191	execution, mode	8319
laws against, generally.....	7205	place.....	8321
unlawful	7192	time.....	8305, 8315, 8316, 8319
limb or member of.....	7194	reprieve, governor only can grant....	8308
purchase of, forbidden	7199	unexecuted, duty of court	8317, 8318
remains after dissection.....	7193	warrant to officer.....	8305
removal of cemetery	7201	return of.....	8324
removal of, unlawful.....	7198, 7200	presumed when	5701
right to transport.....	7190	railroads, injuries to, causing.....	7548
DEAF AND DUMB ASYLUM.		DEATH BY WRONGFUL ACT.	
accounting officer	309, 313	action, abated by death, not	5978
accounts, method of keeping (See <i>State</i>		compromise of right of, binding.....	5979
<i>Institutions.</i>)	309-321	persons who may bring	5976
board of trustees, appointment.....	952	recovery of damages authorized when	5974
compensation	958	measure of recovery	5975
duties generally	956	recovery exempt from decedent's debts	5977
funds, disposed of by	955	DEBTOR.	
meetings	953	act of, creditor can avoid, when only..	5054
oath of members.....	954	contracts when valid against creditor..	5049
quorum	953	defined	5047, 5113
reports	966	estate, concealing, misdemeanor, when	7019
proceedings, record of.....	954	fraud only vitiates contracts of.....	5049
census of deaf and dumb by assessor..	961	joint and several, summons not served	
taken when and how	961	on all.....	5261
faculty, qualification, duties and com-		joint, summoned after judgment (See	
penensation	964	<i>Proceedings After Judgment.</i>)	5633-5638
funds, board disposes of.....	965	obligation of, creditor can avoid, when	
indebtedness, limit of.....	957	only.....	5054
location.....	951	prefer creditors, may.....	5050
matron, duties of.....	965	DECEIT.	
nonresident children admitted, when..	959	attorney, of, how punished	428
pupils, clothing furnished, when.....	962	defined.....	3942
transportation of indigent.....	963	intent to defraud presumed in whose	
principal, qualifications, duties and		favor	3943
compensation	964	person practicing liable in damages....	3941
resident children admitted free.....	960	DECISIONS.	
storekeeper	317	compulsory within what time....	5450
treasurer.....	310	excepted to, deemed.....	5463
tuition, nonresident children.....	959	facts and conclusions, separate.....	5451
resident children, free	960		

INDEX.

	Section.		Section.
DEEDS.		DEFENDANTS.—Continued.	
decident bound to give, executed by decree	6461	sanity of, trial of question of.....	8309
foreclosure of mortgages, on.....	5856, 5872	trial, held for in another county, proceedings	8203
forgery of.....	7414	witness, may be in his own behalf.....	8191
referee to make when	5828	DEFENSE.	
sheriff's, to purchaser on execution.....	5544, 5550	acquittal in another county is, when... ..	7869
tax deed, form.....	1268	state, in another, is, when.....	7686
title, belong to holder of title.....	3488	assignment of thing in action, no prejudice, when.....	5222
value of, that of property represented by	5012	barratry, accused interested is not....	7007
writing, must be in	3531, 3960	conviction in another county is, when	7869
DEFAMATION.		state, in another, is, when.....	7686, 7868
classified.....	2714	duel, acquittal in another state is, when	7082
DEFEASANCE.		conviction in another state is, when..	7082
recorded, must be.....	4730	embezzlement, claim of title in good faith is.....	7469
transfer may be shown mortgage.....	4703	intent to restore is not.....	7470
DEFENDANTS.		good faith is, when.....	6896
acquittal, discharged after, when.....	8253	homicide, anger is not when.....	7062
discharged to testify is.....	8190	irregularities are not.....	6965
one or more of several.....	8058	election, in, when not.....	6883
appeal, less than all, by.....	8339	kidnaping, what is.....	7110
personal appearance unnecessary....	8347	maiming, recovery from injury is, when	7108
right of.....	8326	morbid propensity to crime is not.....	6816
committed on appearance for trial, when	8220	perjury, incompetency of testimony is not, when	6966
conviction of one or more of several....	8058	seduction, marriage after, is	7168
crime, none shown, jury discharged... ..	8207	suicide, what is not.....	7050
defense after judgment permitted, when	5360	summary arrest, when not.....	6882
judgment, before, permitted when... ..	5260	DEFINITIONS.	
judgment, after, restitution, when... ..	5260	advancement	3754
depositions in criminal action, may take	8386	bribe.....	7718
discharged to testify when	8188, 8189	burning	7386
fictitious name, true name inserted when	8041	business days.....	5126
held to another county, arrested, procedure	8206	care, degrees.....	5109
discharged when.....	8205	corruptly.....	7715
insane, found, how disposed of.....	8403	customary	5129
tried after recovery.....	8405	day	6839
insanity, acquittal for, how disposed of	6817	depose	5135
jury discharged, disposition of.....	8202	diligence	5109
notice need not be served on, when... ..	5729	disfigurement	7105
offer of judgment (See <i>Compromise</i> .)	5639-5642	false statement	6969
proceedings when summons not served on all	5261	gift	6940
rights of, in criminal action.....	7749	good faith.....	5114
informed of, must be	8287	goods.....	7262
sane, found, proceedings... ..	8402	head of family.....	3625
		impossibility	3868
		intent to defraud.....	7732
		knowingly	7717
		magistrate	7721
		malice.....	7716

INDEX.

DEFINITIONS.—Continued.	<i>Section.</i>	DELIVERY.—Continued.	<i>Section.</i>
maliciously.....	7716	real property, when specifically enforced.....	5021
masculine includes what.....	5133, 7730	seller, duties of, before.....	3962, 3963
month.....	5132	wards, property belonging to.....	6178
negligent, negligence.....	7714		
notice.....	5116-5118	DEMURRER.	
paper.....	5120	Civil Actions.	
peace officer.....	7720	answer required instead of, when.....	5271
person.....	5121, 7727, 7728	containing counterclaim, to.....	5277
personal property.....	5135, 7725	part of, to, reply to residue.....	5277
present tense includes what.....	5135, 7731	complaint, to part of, answer residue..	5275
property.....	5135, 7726	whole or any cause of action, to.....	5269
real property.....	5135, 7724	grounds for enumerated.....	5268
several.....	5122	specified, must be.....	5269
signature.....	5135, 7722	objections not taken by, waived, exceptions.....	5272
singular includes plural.....	5134, 7729	reply, to.....	5279
subdivision.....	8511	time for serving.....	5267
subscription.....	5135	county court, in.....	6610
successive weeks.....	5143	Criminal Actions.	
testify.....	5135	grounds of, what are.....	8091
third persons.....	5123	heard, when.....	8093
usage.....	5128	judgment on, entered in minutes.....	8094
usual.....	5129	sustaining, final when.....	8095
valuable consideration.....	5130	objections, what must be taken by....	8099
value.....	5130	overruled, further proceedings.....	8098
vessel.....	7719	requisites of.....	8092
willfully.....	7713	sustained, further proceedings....	8096, 8097
writing.....	5137, 7723	time for putting in.....	8090
		DENTAL EXAMINERS.	
DELIVERY.		(See <i>Boards.</i>)	
buyer's directions as to, to be followed	3968	DENTISTS.	
contract, written, governed by rule of		certificate, to post conspicuously.....	295
grants.....	3890	false name, practicing under, penalty..	301
takes effect on.....	3889	false pretense as to qualifications, penalty.....	300
deposit, place of.....	4008	license, unlawful to practice without..	292
depository must make, on demand	4006, 4007	penalty for violating dental laws.....	299
expense of, borne by whom.....	3966	DEPOSIT.	
freight, made how.....	4191	General Provisions.	
gift, requisite to validity.....	3556	classified.....	4000
grant, to grantee absolute.....	3517	delivery, place of.....	4008
grant, of, in escrow.....	3518	depository defined.....	4001
holder of bill, to, exonerates carrier...	4203	deliver deposit, to, where.....	4008
joint and disagreeing owners, deposit, of	4011	deliver deposit on demand, must....	4006
legates, estate to, when.....	6507	delivery not required without demand	4007
luggage, made how and when.....	4235	delivery to joint disagreeing owners..	4011
messages made how.....	4222	exonerated for claim for detention,	
personalty, judgment for, form of.....	5484	when.....	4010
sold, made when.....	3964		
made where.....	3965		
notice of election as to.....	3967		
reasonable hours, within.....	3969		
specifically enforced when.....	5023		
pledge, essential to.....	4746		

INDEX.

	<i>Section.</i>		<i>Section.</i>
DEPOSIT.—Continued.		DEPOSIT IN COURT.—Continued.	
depository, insurable interest, has in		voluntary, of property adversely claimed	5409
what	4452	proceedings on	5409
involuntary, bound to accept, when ..	4003	DEPOSITIONS.	
notice of adverse claim, to give	4009	Civil Actions.	
wrongful detention, to give	4010	authentication	5683
depositor defined	4001	cases in which authorized	5671
involuntary, defined	4002	certificate of officer taking	5684
voluntary, defined	4001	commission, how taken out	5676
For Exchange.		contests of elections, how taken	567, 590
creates relation of debtor and creditor	4040	county court, how taken in	6232
defined	4005	defined	5667
title to thing transferred	4040	disclosing; misdemeanor, when	7017
Gratuitous.		evidence of party reading, deemed	5682
defined	4020	exceptions, errors of court in decisions	
depository, creditor is gratuitous, of		on, waived how	5689
thing offered, when	3819	grounds	5687
depository's duties cease when	4023	heard when	5688
involuntary, is	4021	time of taking	5687
slight care, depository bound to	4023	filing required at what time	5686
For Keeping.		notice to adverse party, contents	5677
animals, care of	4013	publication, by, how, when	5679
damages for wrongful use, when	4015	taken without, when	5678
defined	4004	officers in state, who may take	5673
depository, duties and liability	4018	state, out of, who may take	5674
indemnified for damages	4012	taking, qualifications of	5675
liability, measure of depository's	4019	opened when	5681
loss or injury presumed willful	4017	return, manner of making	5681
negligence, if lost or injured, presumed		showing required before reading	5685
when	4017	taking, time when commenced	5672
opening, without consent, forbidden ..	4014	time of service	5677
sale of, if perishing	4016	use, extent of	5682
use of, forbidden	4014	witness must subscribe	5680
Storage.		written by whom	5680
defined	4024	<i>(See Perpetuating Testimony.)</i>	
depository for hire, compensation	4026	Criminal Actions.	
debtor is, of thing offered in perform-		public record, is, when	8396
ance	3817	<i>Within the State.</i>	
defined	4024	authentication	8382
finder is, when	4031	application to take, contents	8376
ordinary care, bound to	4025	notice of	8377
seller of personalty is, when	3962	cases in which taking not authorized ..	8380
terminated, how and when	4027	defendant may take	8374
terminated, notwithstanding agree-		order to take, contents	8379
ment, how	4028	court issues when	8378
DEPOSIT IN COURT.		read in evidence, may be when	8383
claim partially admitted	5411	taking, mode of	8382
disobedience of court's order, con-		witness, attendance compelled how	8381
tempt	5410	sick, defendant may take	8375
funds brought into court when	5408	<i>Without the State.</i>	
delivered to party when	5408	application to take, contents	8387

INDEX.

	<i>Section.</i>		<i>Section.</i>
DEPOSITIONS.—Criminal Actions.—		DISSECTION.	
<i>Continued.</i>		allowed when	281
application to take, notice of	8388	bond required before receiving body ...	282
commission to take	8389	burial of body	282
commissioner taking, powers of	8392	prohibited when	283
defendant may take	8385	DISTRICT COURT.	
interrogatories, service of	8390	(See <i>Courts, District.</i>)	
opened, when and by whom	8395	DISTURBANCE.	
order to take	8389	court or referee, proceedings of	7015
read in evidence, may be when	8397	electors, misdemeanor	6874
return	8393, 8394	funerals	7203
court directs manner of	8391	legislative assembly	6920
DEPOSITORIES, STATE.		meetings, lawful	7339
bond to be furnished by	238	religious meeting, of, defined	6853
conditions of becoming	237	misdemeanor	6852
designated by board of auditors	237	DITCHES.	
funds of state deposited in	237	draining highways	1151
state treasurer not liable for funds de-		DIVORCE.	
posited	239	adultery defined	2738
DESERTION, WILLFUL.		ground for	2737
divorce, ground for, defined	2740	alimony granted when	2759
DEPUTIES.		children, custody of, court directs. ...	2760
appointment, how made, revocable	370	legitimacy of	2751, 2752
bond may be required, amount of	370	support of, provision for	2761
ineligible as, who are	373, 374	collusion defined	2746
oath, indorsement	372	ground for denying	2744
officers who may appoint	370, 371	connivance, consent, corrupt, defined ..	2745
responsibility for acts of	370	defined	2745
residents of state, must be	374	ground for denying	2744
DEVISE.		condonation defined	2747
(See <i>Wills.</i>)		ground for denying	2744
DISEASES.		requisites of	2748
contagious, clothing, infected to be de-		revocation of, effected how	2749
stroyed	272	revives cause of divorce	2749
dead body, regulations as to burial,		cruelty, extreme, defined	2739
etc.	269	ground for	2737
exposing person to	7326	conviction for felony, ground for	2737
hospitals provided by health boards	271	default, not granted upon	2757
physicians, etc., to report to health		delay in bringing action, ground for	
boards	263-265	denying	2753
quarantine, establishment of	270	unreasonable, defined	2753
township board of health, by	2588, 2589	denial of, grounds for	2744
school officers, etc., duty of	268	desertion, willful, absence is, when in-	
sick, removal of prohibited	266	tent to desert is fixed	2740
vaccination required	267	continuance, one year's, required as	
DISORDERLY HOUSE.		ground	2743
keeping, etc., misdemeanor	7211	defined	2740
		departure, causing by cruelty, etc., is	2740
		inducing, by fraud, etc., is	2740
		dwell together, refusal to, is	2740
		ground for	2737

INDEX.

	<i>Section.</i>		<i>Section.</i>
DIVORCE.—Continued.		DOGS.	
desertion, willful, matrimonial inter- course, refusal to have reasonable, is	2740	ownership, subject of	3267
refusal to conform to mode of living, if unfit, is not	2740	DOWER.	
refusal of wife to conform to mode of living, is	2740	abolished	2770, 3743
refusing offer to return, is	2740	DRAINS.	
return and offer to fulfill contract, cures	2740	assessments, additional, made when ..	1459
separation by consent is not	2740	benefits, of, subject to review	1451
refusal to revoke, is	2740	damages, of, made how	1450
domicile, presumption of, does not apply	2756	void when	1466
felony, conviction of, ground for	2737	benefits accruing	1452
grounds for, enumerated	2737	blind, constructed how	1464
homestead, how disposed of	2762	bonds issued, how and when	1474
intemperance, habitual, continuance, one year's, required as ground	2743	bridges and culverts, construction of ..	1463
defined	2742	commissioners appointed how	1445
ground for	2737	compensation	1470
judgment of, effect upon parties	2736	duties	1447, 1456
limitations, none, except	2754	eligible, who not	1472
statutory, ground for denying	2754	liability	1469
neglect, willful, continuance, one year's, required as ground	2743	oath and bond	1446
defined	2741	oath, may administer	1473
ground for	2737	petition for	1445
proof required to grant	2757	petitions, may deny when	1448
recrimination, defined	2750	report	1469
ground for denying	2744	return to auditor	1453
residence, term of required	2755	constructed when	1444
support of wife and children, court may provide for	2758	contracts, extension of time, when	1460
provision for not made when	2762	letting, manner of	1454
security, court may require	2762	postponement of	1455
wife, support of, provision for	2761	reletting	1460
DOCUMENTS.		cost of opening and repairing paid how	1467
delivered by county auditor when	69	county commissioners to keep drains open	1462
destroying, mutilating, defacing	6959	defined	1444
evidence, when	70	ditches for drainage, proceedings to ob- tain	1151
exhibit and request of admission of genuineness	5643, 5644	injuring, punishment	1152
executive, delivered, when to be	53	injuring, penalty for	1471
distribution, who entitled to	64, 66	lands benefited, special tax for	1457
number to be printed	47, 52	notice published how	1454
printed how	47	petitioners for	1447
undistributed, who custodian of	71	plans and specifications of	1447
false or forged, offering for record	6961	powers of commissioners extended when	1461
fraudulent as to title to merchan- dise	7540, 7546	railroad companies, duty of	1462
public, what are	5690, 5698	record of, made where	1465
quo warranto, delivery in cases of	5747, 5748	right of way for	1449
retained as evidence when	6974	rules and regulations	1468
		taxes, county treasurer to collect	1458
		warrants, received for taxes when	1458
		registered and bear interest when	1458
		DRUGGIST.	
		(See <i>Pharmacist</i> , 7302, 7303.)	

INDEX.

	Section.		Section.
DRUNKARDS, HABITUAL.		EDUCATION.—Continued.	
committee to select institute, appointment.....	1800	high school board, compensation of members.....	871
county commissioners, duty of.....	1801	constituted how.....	867
defined.....	1802	powers.....	872
institute for treatment selected by whom.....	1800	records kept by.....	873
petition to county commissioners.....	1800	visit schools each year.....	870
procedure.....	1800	state educational library, appropriation for.....	866
reimbursement of county.....	1803	tuition fund, how raised.....	710
treatment of.....	1800	teacher's institutes, appropriation for by county.....	758
DUEL.		appropriation for by state.....	756
challenge, attempts to induce.....	7136	attendance at, required.....	751
defined.....	7135	conductors for, appointment.....	756
punishment for.....	7134	expenses, payment of.....	755
defense, acquittal in other state is, when.....	7082	funds, apportionment of.....	755
defined.....	7130	paid out how.....	757
killing in, manslaughter when.....	7079	raised how.....	755
murder, when.....	7078	notice of given by county superintendent.....	751
state, without, murder when.....	7080	(See <i>Schools, School Districts and Teachers.</i>)	
leaving state to evade laws against....	7138	ELECTIONS.	
person fighting incapable of holding office.....	7132	abstract of votes, delivered to secretary of state.....	527, 532
posting for not fighting.....	7137	filed and preserved by secretary of state.....	533
privileged from testifying, not.....	7140	advising illegal voting.....	6866
punishment for fighting.....	7131	ballots, county auditor to provide....	490
second guilty of manslaughter when..	7081	delivery to electors, by whom.....	515
punishment.....	7133	deposited in box by judges.....	520
surgeon, guilty of manslaughter when..	7081	destruction of.....	6883
punishment.....	7133	examination at opening of polls.....	514
trial, place of.....	7139	form of, arrangement of names.....	491
DURESS.		name of each candidate to appear...	490
coverture not deemed when.....	6821	number for each precinct, distribution.....	492
defined.....	3845	official, posting of, on election day..	494
exonerates from punishment when....	6818	printed at public expense.....	489
extent of, to exonerate from punishment.....	6819	sample, posted in precincts by inspectors.....	492
EASEMENTS.		spoiled, number allowed electors....	518
(See <i>Property, Real, Servitudes.</i>)		stamp to be affixed.....	515
EAVESDROPPING.		time of delivery.....	493
misdeemeanor.....	7329	void when.....	524
EDUCATION.		voting, manner of.....	516
apportionment of school moneys.....	711	ballots and boxes, examination at opening of polls.....	514
boards of education, election.....	856	ballot boxes, destruction of.....	6883
elections, conduct of.....	858	examination at opening of polls.....	514
members, term of office.....	857	provided at county expense.....	496
flags to be displayed on schoolhouses..	865	women, separate for.....	496
free text books, board may furnish...	863		
proposition submitted to electors....	864		
high school board, classification, requirements for.....	869		

INDEX.

	<i>Section.</i>		<i>Section.</i>
ELECTIONS.—Continued.		ELECTIONS.—Continued.	
betting upon result of.....	6857	contests, general, appeals, time of tak-	
blanks, forms, etc., furnished by the		ing, record, hearing	572
secretary of state.....	497	appeals, undertakings.....	571
board of, formation in unorganized		authority to bring, who has.....	563, 565
townships.....	484	costs, surety for, must be furnished..	570
qualifications of members.....	483	depositions.....	567
vacancies, how filled.....	483, 484	notice of, contents, service.....	563
booths, construction, expense of.....	521	practice governed by civil pro-	
occupied by only one.....	517	cedure.....	574, 575
occupied how long.....	517	procedure provided in civil procedure	567
candidates, secretary of state certifies		reference of.....	569
names to auditor.....	504	rights and remedies not affected....	573
canvass of returns, ballots, what void..	524	testimony, how taken.....	567
canvassing falsely.....	6888	trial of.....	566
county canvassing board to make ab-		contests, legislative, answers in.....	588
stracts	527	depositions, return to secretary of	
inspectors are canvassers, proceedings	523	state.....	603, 604
presidential electors.....	541	stipulation, taken on.....	583
result to be immediately announced	525	taken how.....	590
result, written statement of, duplicate	525	taken in only two places at once...	591
state board of canvassers.....	530	expenses, legislative assembly not to	
adjournments	536	pay	606
canvass what.....	545	fees of officers and witnesses.....	605
duties	535	notice of.....	587
meeting	534	papers, production may be required	601
proceedings, if member disqualified	531	testimony confined to issues.....	599
canvass of votes, technicalities disre-		reduced to writing.....	600
garded	548	taken when.....	589
tie vote, how decided.....	528	taking adjourned.....	602
caucus, unlawfully voting at.....	6898	witnesses, attendance required by	
certificates of election, county auditor		subpoena.....	592
to issue what.....	527	attendance compelled only in county	595
form of.....	542	examination of.....	598
member of congress.....	540	failure to attend, penalty.....	596
members of legislative assembly, filed	21	nonresident, deposition of.....	597
presidential electors.....	541	subpoenaed how.....	594
secretary of state issues what.....	539	contests, presidential electors, appear-	
challenges, inspector, duty as to.....	488	ance of parties.....	580
judge, duties as to.....	488	appearance, failure to make, effect of	583
proceedings on	521	authority to contest, who has.....	577
clerk, false poll list, keeping.....	6886	board, compensation.....	586
voter unregistered, duty as to.....	614	majority decides.....	585
compensation of officers.....	562	powers	581
paid how	527	trial, who compose, oath.....	576
constitutional amendments, advertise-		certificate of election after determina-	
ment.....	509	tion.....	583
certificate as to.....	543	costs, bond for.....	578
record of result of election	544	taxation of, by whom paid	584
contests of, county lines, proceedings		determination of, certification to gov-	
in.....	568	ernor	582
county seat removal, procedure in...	568	evidence, burden of proof.....	581
contests, general, answer to notice of		hearing, how conducted.....	580, 581
contest.....	564	notice of, contents, service.....	579

INDEX.

	<i>Section.</i>
ELECTIONS.—Continued.	
contests, presidential electors, petition, contents	578
witnesses, attendance compelled.....	581
convention, defined.....	498
mass, what required.....	501
county auditor, abstract, neglect to make.....	7035
certificate, neglect to issue.....	7035
duties	1977
returns, neglect to canvass.....	7035
defined.....	6892
district, township is.....	2675
electioneering prohibited.....	559
electors, assistance from election officers.....	519
bribe, offering to.....	6855
bulldozing	6877
intimidating.....	6877
persons who are.....	479, 480
expenses of, a public charge.....	489
general, when held.....	477
inspectors, acts prohibited.....	6855
appointment in unorganized townships.....	484
canvassing vote falsely.....	6888
challenge vote, must when.....	6887
oath to unregistered voter, may administer.....	613
qualifications, duties.....	483
vote, excluding.....	6887
receiving unlawful.....	6887
instructions to electors, posting of.....	494
interference with, when permitted.....	6894
irregularities in, no defense.....	6893
judges, acts prohibited.....	6855
canvassing vote falsely.....	6888
excluding vote.....	6887
inspectors, appoint when.....	483
nominated by political parties, when	483
oath to unregistered voter, may administer.....	613
qualifications, duties.....	483
vote, challenge when.....	6887
receiving unlawful.....	6887
liquor, selling on day of, misdemeanor	6897
money, furnishing for.....	6860
names, error in, how corrected.....	510
nominations, candidates, one for each office.....	502
certificate to contain but one name for each office.....	502
false.....	6884
filed when, transmitted how....	503

	<i>Section.</i>
ELECTIONS.—Continued.	
nominations, certificate filed with whom.....	499, 500
certificate, requisites.....	499
suppressing.....	6884
convention, by, mode of making....	498
convention, not by, mode of making	501
petition, by, number of names required.....	501
posting required when.....	505
publication required when.....	505
vacancy in, after ticket printed.....	508
filled how.....	507
void, if notice of declination filed...	506
notice, form, publication, posted when officers to be elected, of, given by whom.....	511
officers, bribing.....	6889
clerks, poll, appointment.....	485
compensation.....	562
disobedience of.....	6879, 6881
disturbing by violence.....	6880
elected at general.....	477
election officer, may appoint.....	559
inspector, ballots, etc., to examine... ballots, to post sample.....	492
booths, to provide.....	521
polls, to proclaim closing of.....	513
returns, to canvass.....	523
returns, duty in making.....	526
oath of, before whom taken.....	486
form.....	486
penal provisions, etc., ballot, depositing unstamped.....	556
ballot, marking for identification.... receiving except from election officer.....	559
receiving, when misdemeanor....	559
removing, misdemeanor.....	559
showing after marked, misdemeanor.....	559
unused, not returning.....	559
delivery of ballot except by election officer, misdemeanor.....	559
electioneering, when misdemeanor...	559
officers, failure to perform duties...	558
rejection of legal vote.....	557
violation of election laws.....	560
voting ballot not received from election officer.....	559
poll books, contents, delivery of.....	495
poll clerk, acts prohibited.....	6855
appointment.....	485

INDEX.

ELECTIONS.—Continued.	<i>Section.</i>	ELECTIONS.—Continued.	<i>Section.</i>
poll list, clerk to keep	487	vacancies, legislative assembly, conduct	
destroying	6885	of election	552
polls, closing of, inspector to proclaim	513	presidential electors, how filled	554
opening and closing	513	returns how canvassed	553
precincts, construed	482	violence, threats of, at	6878
formed how	481	vote, convicted felon denied	6869
number of voters in	481	highest number elects	478
voting in wrong	6867	voter, personating registered, misde-	
presidential electors, compensation...	555	meanor	6871
convene when	554	unregistered required to take oath...	613
process, civil, cannot be served on elec-		voting, assistance to elector under dis-	
tion day	561	ability	519
question submitted to county, adver-		illegal	6864
tisement of	509	procuring	6865
penal provisions as to	6895	manner of	516
registration, applies to what cities ...	621	name written or pasted on ballot, by	490
board of, compensation	617	precinct, in wrong	6867
judges of election are	607	twice or more	6863
meeting	607	women, ballots of, deposited in separate	
power to preserve order	618	box	522
proceedings to be public	611	ELECTORS.	
procuring, by false statements, mis-		bribe, offering to	6855
demeanor	6872	convicted felon not	6869
second meeting	610	influencing illegally	6856
vacancies how filled	618	meetings of, preventing public	6875
list certified and retained for use at		obstruction of	6862
election	613	office, eligible to hold	17
contains what	608	offers of	6858, 6859
filed with county auditor	615	qualifications of	479, 480
open to public inspection	616	rights, same as citizens, except	19
revision of	612	vote, defrauding of his	6855, 6861
penalty for violating law	619	ELEVATORS.	
person unqualified, registering	6870	taxation, listed for, how	1186
preventing, misdemeanor	6872	taxes assessed paid how	1187
registers and blanks to be furnished		(See <i>Warehouses.</i>)	
statements, false, constructive, de-		EMBASSADORS.	
defined	6873	foreign not punishable in this state ...	6823
unlawful, punishment	6870	EMBEZZLEMENT.	
returns, informalities disregarded	547	assignee, guilty of, when	7464
manner of making	526	bailee, guilty of, when	7466
mutilating, punishment for	7582	broker, guilty of, when	7464
secretary of state to indorse time of		carrier, guilty of, when	7463
receipt	549	clerk, guilty of, when	7466
result, proclamation of, by governor...	546	defense, claim of title in good faith ...	7469
special, to fill vacancies, proceedings 550,	551	intent to restore is not	7470
stamps, official, delivery to inspectors..	493	defined	7461
state board of canvassers, certificate of		evidence of debt subject of	7468
result	538	officer of corporation	7462
statement of returns, majority de-		public	7390
cedes	537		
stickers affixed by election officers, when	508		
supplies for, destroying	6885		
tie vote, how decided	528		

INDEX.

	<i>Section.</i>
EMBEZZLEMENT.—Continued.	
pleading, when sufficient.....	8055
property of decedent.....	6374
ward.....	6581
public funds, misapplication of, is.....	1323
punishment for.....	7472
mitigation by restoring property.....	7471
servant, guilty of, when.....	7466
taking, distinct act of, not necessary..	7467
trustees.....	7464
EMINENT DOMAIN.	
acceptance of damages abandons what defenses.....	5971
appeals.....	5973
benefits, assessment of.....	5965
complaint, allegations of.....	5962
condemnation, facts which must appear before.....	5959
constitutional limitation on exercise of right.....	5955
court, powers of.....	5964
damages, assessment of.....	5965
date when to be fixed.....	5966
deposit, plaintiff bound to keep good	5971
deposit of, in-state treasury, when..	5971
improvements, when not allowed for	5966
payment or deposit in court.....	5969
time of payment.....	5968
defend, who may.....	5963
defined.....	5955
estates, what may be acquired.....	5957
execution may be had when.....	5969
location of use, rule governing.....	5960
new trials, costs of.....	5971
regulated how.....	5973
order for condemnation, filing.....	5970
payment to defendant, directing....	5971
possession, for, interlocutory.....	5971
practice, rules of.....	5972
proceedings to be by civil action.....	5961
property, what may be taken.....	5958
purposes authorizing its exercise.....	5956
surveys, right of entry to make.....	5960
title defective, new proceedings.....	5967
EMPLOYEES.	
account to employer, to.....	4109
acquisitions of, belong to employer....	4108
assume ordinary risk of business.....	4096
care necessary in employing substitute	4112
compensation, dismissal for cause, on..	4121
quitting for cause, on.....	4122
deliver to employer on demand what-ever received.....	4110

	<i>Section.</i>
EMPLOYEES—Continued.	
direction of employer, may disobey, when.....	4104
obey, must.....	4104
defined... ..	4094
for his own benefit, obligations of.....	4102
gratuitous, obligations of.....	4098, 4099
power of attorney, under, obligations	4100
slight care, bound to.....	4098
indemnified by employer for what....	4095
employer's negligence for losses from	4097
intimidation of, misdemeanor.....	7660
negligence of co-employees, not indemnified for.....	4096
culpable, liability for.....	4113
preference to employer's business....	4111
quit, may, when.....	4118-4120
reward, for, obligations of.....	4101
risks of business, assume ordinary....	4096
send things received, not to, when....	4110
services, continued after event terminating employment, when... ..	4117
perform according to usage.....	4105
skill, to exercise reasonable.....	4106
use all possessed, to.....	4107
surviving, when to act.....	4114
EMPLOYER.	
defined.....	4094
entitled to everything acquired by employee.....	4108
indemnifies employee for what.....	4095
losses caused by his negligence, for..	4097
intimidation of, misdemeanor.....	7661
EMPLOYMENT.	
contract of, limited to two years, exception.....	4103
specifically enforced, not.....	5029
defined.....	4094
hindering citizen to obtain.....	7041
service, without, care and skill required.....	4172
compensation, none allowed.....	4172
expenses allowed.....	4172
termination, breach of duty, for.....	4119
breach of employer's obligation, for	4120
causes for.....	4116
incapacity, for.....	4119
will, at, how, when.....	4118
ENGINEER.	
boiler, etc., negligent management of..	7254
intoxication, misdemeanor.....	7320

INDEX.

	<i>Section.</i>		<i>Section.</i>
ENGINEER.—Continued.		ESTATES OF DECEDENTS.— Con-	
neglect of duty, misdemeanor.....	7321	<i>tinued.</i>	
negligence of, causing death.....	7091	administration, preference, duty of	
ESCAPE.		court	6321
aiding during insurrection.....	6993	rehearing to revoke, when.....	6323
assisting, from officer.....	6952	time allowed to apply for.....	6316
prison, from.....	6950	value of property, proof required ...	6320
attempting, in county during insurrec-		waiver of right to.....	6319
tion.....	6993	administrators, authority of	6324
disguise, aiding, by.....	6951	foreign, qualifies how.....	6339
information, aiding, by.....	6951	special, appointed when.....	6325
officer, from, what not deemed.....	7909	authority of.....	6328, 6330
permitting	6953	authority after notice to creditors	6330
prosecution, expense, how paid.....	6958	authority ceases when	6331
punishment, concealing escaped pris-		duties of	6328
oner	6955	duty, when authority ceases	6331
generally.....	6947	heirs unknown.....	6326
officer permitting.....	6954	inventory of estate, to make.....	6323
weapon, aiding, by.....	6951	notice to creditors, when.....	6329
ESCHEATS.		order appointing, appeal does not	
property, of, if no heirs.....	3759	stay, when	6268
escheated, subject to what.....	3760	persons who may be	6327
realty of certain corporations, when...	2860	revocation of letters	6363
ESTATES OF DECEDENTS.		(See <i>Executors and Administrators,</i>	
administration, contest, who may....	6318	<i>this title.</i>)	
decree granting, must fix bonds....	6322	amendments, costs allowed on, when..	6247
entitled equally, power of court....	6321	pleadings, for mistake, when.....	6246
entitled to, who is	6315	pleadings and process, when.....	6244
expenses of, paid when.....	6421	process may be amended, when	6245
property chargeable with.....	6395	appeal, costs payable, how.....	6278
granted on application of state's at-		decision or order of district court en-	
torney	6325	forced how	6279
granted when.....	6313	decision and record of district court	
granted, when not.....	6314	transmitted how	6279
heirs unknown, how.....	6326	decrees in, from.....	6254
state's attorney cited.....	6326	decree reversed, lawful acts not af-	
intestacy, proof of, required.....	6320	fectcd.....	6277
letters, ancillary, issued when.....	6333	dismissal affirms.....	6273
form of, administration.....	6356	dismissed when	6272
testamentary	6354	docketed in district court, when....	6270
will annexed	6355	findings of district court.....	6276
letters, further, if property discovered		fine, from order imposing, how taken	6257
after discharge	6336	mode of taking.....	6256
granted, no stay on appeal, when ..	6267	orders in, from.....	6254
issue, may when.....	6338	parties to.....	6255
revocation, causes for.....	6363	brought in, how	6260
revoked by decree granting probate,		persons who may take.....	6254, 6258
when	6362	powers of district court.....	6274
revoked by decree revoking probate	6362	questions of fact tried de novo.....	6275
petition, contents.....	6317	questions of law perfected how	6261
preference in appointment.....	6321	time of hearing.....	6271
		specifications of error.....	6262
		stay of proceedings granted, when...	6263
		granted, when not.....	6267

INDEX.

	<i>Section.</i>
ESTATES OF DECEDENTS.— <i>Continued.</i>	
appeal, stays further proceedings when	6266
time for, extension of	6259
transcript, judge certifies	6269
undertaking, amount	6264
conditions	6263
obligation of	6265
appearance, guardian, special, by	6215
guardian, effect of	6217
jurisdiction of person, confers	6183
made how	6213, 6218
made in person or by attorney	6213
minors', made how	6214
notice of all proceedings presumed from	6219
appraisement, appraiser's affidavit	6387
appraisers, appointment	6386
compensation	6386
duties	6387
number	6386
oath	6386
confirmation	6392
hearing of objections	6392
homestead	6390
inventory, supplementary	6388
modification	6392
objections	6392
reappraisement of realty for sale, when	6446
report on homestead	6390
return, proceedings on	6392
bonds, action on, who may maintain	6282
approval of	6280
indorsed by judge	6282
deposit in lieu of	6281
insufficient, hearing on, when	6360
judge issues citation	6359
judge requires additional	6360
letters revoked when	6360
proceedings	6358
surety inadequate	6358
removal from state	6358
justification of sureties	6280
run to state	6282, 6587
state, nominal payee	6282, 6587
sureties released on application, how	6361
citation, accounts, settlement of, for	6498
ancillary letters, for issuing	6334
bond, insufficient, to examine	6359
claim rejected, for hearing	6409
concealment of decedent's property, to inquire into	6581
contents	6202

	<i>Section.</i>
ESTATES OF DECEDENTS.— <i>Continued.</i>	
citation, county court may issue	6187
obedience to, may enforce	6187
embezzlement of decedent's property, to inquire into	6581
executors, removal of, for	6369
form of, when another will supposed	6292
heirs unknown	6326
hour not specified, what hour presumed	6248
inquiries made before issue	6195
investigation as to parties before issuing	6195
jurisdiction of person obtained by	6183, 6202
new, to respondent, issued when	6227
parties, must issue to all	6198
partner, surviving, to deliver inventory	6377
removal of administrator or executor	6369
requisites of	6203
sale of real property	6432
service of, attorney, on, when	6205
directions as to mode of, indorsed on guardian, on, when	6205
mail, by, made and proved how	6211
mail, by, when	6206
mail, by, not sufficient when	6206
personal, made how	6209
proved how	6209
publication, by, how made and proved	6210
publication, by, permitted when	6207
ward, on, when	6205
signed by county judge	6203
specific performance, for	6462
style of	6203
third persons to appear and disclose property	6378
time for appearance in	6203
time fixed in for appearance	6212
time of service by publication, computed how	6212
will, foreign, for probate of	6334
claims adjusted by whom	6399
administrator's, allowed how	6411
allowance, effect of	6416
allowed by county court when	6408
approval, conditions precedent to	6407
partial	6408
barred by limitation, not allowed	6414
barred when, exception	6404

INDEX.

ESTATES OF DECEDENTS.—	<i>Section.</i>
<i>Continued.</i>	
claims, bonds or written instruments..	6413
contingent, bond on final distribution, if not paid.....	6424
defined	6403
pending, proceedings	6424
proof required at settlement, if not absolute	6424
statement required	6407
counterclaim to litigated.....	6409
county judge, duties of.....	6399
county judge examines and adjusts..	6399
county judge, of, allowed how.....	6412
decree allowing, contents.....	6410
denied, deemed, if litigated.....	6409
disapproval by representative, what deemed.....	6407, 6408
entitled how.....	6406
executor's, allowed how.....	6411
executor to approve and indorse....	6407
foreclosure of lien securing, allowed when	6404
indorsement of.....	6407
judgment, allowed how.....	6413
limitation, vacancy in judgeship not included	6405
notice to creditors, contents.....	6400
publication.....	6400
proof and record of.....	6402
notice to creditors, special administrator, by	6329
presentation allowed after time, when time for.....	6403, 6403
rehearing allowed when.....	6415
rejected, citation, hearing on.....	6409
service on representative required when	6407
stated distinctly, to be, if disputed..	6406
time in which to present.....	6401, 6403
verification, contents.....	6407
vouchers to be filed.....	6501
written instrument.....	6413
contempt, decree or order enforced by punishment for, not bar to action on bond.....	6243
creditors, actions, what may require..	6481
estate, insolvent, paid in order of classes	6420
notice to, contents.....	6400
publication.....	6400
settlement of representative's accounts, of	6415

ESTATES OF DECEDENTS.—	<i>Section.</i>
<i>Continued.</i>	
creditors, payment before transmission to foreign executor	6528
share equally in classes, if estate insolvent.....	6420
nonresident insolvent estate, in....	6527
debts, administrator liable for on decree for payment.....	6425
administrator not liable for	6484
creditors paid before transmission to foreign executor.....	6528
compounding.....	6483
decree for payment, time when made peremptory, when	6423
deducted from property, when not... executor, bequeathed to, collected how far	6373, 6384
liable for, on decree for payment..	6425
liable for, when not.....	6484
personal, of, not discharged.....	6382
funeral expenses paid when.....	6421
mortgages, limitation on preferment order of payment.....	6418, 6417
order of resort to property for payment.....	3721
paid when.....	6421
priority in payment.....	6417
property devised or bequeathed liable when	6398
liable for, when.....	3720, 6396
decedent, corporate stock in building association	3204
corporate stock represented how	2872
nonresident estate delivered to executor of domicile.....	6524
judgment affirmed on appeal when personalty disposed of how	5236, 6526
governed by law of domicile	6525
realty governed by law of state....	6525
residue transmitted to foreign executor, when	6529
decree, account, settling, contents	6234
act, requiring or prohibiting, enforced how.....	6242
administration, granting, to fix bond	6322
appeal dismissed, affirms.....	6273
costs awarded when.....	6240
defined	6233
enforced by contempt.....	6242
limitation of action to set aside..	6478, 6479
money, directing payment of, how enforced.....	6241

INDEX.

	<i>Section.</i>
ESTATES OF DECEDENTS.— <i>Continued.</i>	
decree, reversal on appeal does not affect	
lawful acts.....	6277
specific performance.....	6463
will, admitting to probate, contents..	6300
foreign, admitting to probate, con-	
tents.....	6335
probate, granting, revokes former	
letters.....	6362
revoking, revokes former letters	6362
default, party in, allowed to plead when	6221
devises, exempt from liability for debts	
when	6398
liable for debts when	6398
distribution, advancements considered	
in.....	6513
decree of, contents.....	6512
final, binding on all.....	6513
estate of nonresident decedent ..	6524-6529
made, how and when.....	6426, 6509
petition for, may be controverted...	6510
residue of estate assigned without,	
when	6514
personalty of nonresident.....	6526
shares set out how.....	6516
taxes paid before.....	6511
dividend declared when.....	6423
insolvent estate, of	6420
partial, declared when.....	6423
embezzlement of estate, damages	
double	6374
executor, acceptance made how.....	6294
appointed, who may be.....	6306
authority of.....	6310
authority to appoint executor void..	3734
bequest of debt, demand inventoried	6384
bond, waived by will.....	6351
debts, personal, not discharged.....	6382
duties of	6310
executor of, has no power as such...	3736
foreign will, of, qualifies how.....	6339
minor named as, appointed when...	6309
power, have none before qualifying..	3735
surviving, authority of.....	6310
(See <i>Executors and Administrators,</i>	
<i>this title.</i>)	
executors and administrators, ac-	
counts, examination under oath...	6501
accounts, failure to settle, proceed-	
ings.....	6498
final, rendered when.....	6496
intermediate, who may require...	6494
items settled without voucher....	6502

	<i>Section.</i>
ESTATES OF DECEDENTS.— <i>Continued.</i>	
executors and administrators, accounts,	
notice to creditors of settlement of	6415
accounts, objections to.....	6499
referees appointed to examine....	6500
settlement, final, hearing on.....	6499
heirs may contest.....	6500
time of	6496, 6497
settlement pending probate made	
how.....	6368
statement contested how.....	6495
rendered when.....	6493
vouchers for payments made.....	6501
actions against, bond, on, order of	
court required, when	6474
fraudulent sale of realty, for.....	6473
money, for, authorized when.....	6468
actions by, bonds of predeces-	
sors, on.....	6471, 6472
claims of decedents, to collect....	6470
conversion, for.....	6469
estate, to obtain possession of....	6470
partners, to secure accounting be-	
tween	6470
personalty, to recover, authorized	
when	6467
realty conveyed by decedent	
fraudulently, for.....	6480, 6481
possession of, for	6466
quiet title, to.....	6466
recover, to, authorized when...	6467
trespass on, for.....	6469
waste, for.....	6469
acts valid until letters revoked.....	6370
affidavit, property withheld by third	
person	6378
agent appointed for foreign, how...	6340
appeal by, taken how.....	6258
bond	6347, 6349
insufficient, proceedings	6358-6360
joint and several, deemed.....	6349
sale of real estate, for.....	6350
separate, may be required of each	6352
successive recoveries on.....	6472
chargeable with decedent's estate...	6485
claims against estate, not to pur-	
chase	6488
claims, to approve and indorse when	6407
compensation	6491, 6492
competent to serve, who are.....	6346
contracts for purchase of realty, to	
pay when.....	6422
conveyance of real estate, effect....	6454

INDEX.

ESTATES OF DECEDENTS.—	<i>Section.</i>
<i>Continued.</i>	
executors and administrators, costs in	
action, liable when.....	5591, 6490
death of one, proceedings.....	6371
debts, may compound when.....	6483
decedent, of, liable for on decree for payment.....	6425
decedent, of, not liable for.....	6484
uncollected, not chargeable with..	6487
disability of one, proceedings.....	6371
discharge, effected how.....	6368
pending probate, petition, contents proceedings.....	6369
enjoined when.....	6367
estate, charged with, at appraise- ment.....	6485
execute assignment of land contract when.....	6458
expenses of, allowed.....	6491
preferred, to pay when.....	6421
fees and commissions.....	6492
fees and expenses allowed.....	6491
foreign, to appoint agent.....	6340
inventory, to make and file, contents oath to.....	6381
supplementary, to make when....	6388
legacy, payment, may resist.....	6506
letters revoked when.....	6312
liability, costs, for.....	6490
debts ordered paid, for.....	6425
failure to give notice to creditors, for money received before administra- tion.....	6427
sale of realty, fraudulent, double damages.....	6473
liens, to pay when.....	6422
mortgages, to pay when.....	6422
notice to creditors, to give.....	6400
oath.....	6347
form of, filed where.....	6348
inventory, to.....	6381
parties to action, as.....	5223
petition for final settlement.....	6496
pledges, to pay when.....	6422
possession of whole estate, entitled to powers and duties in settlement of es- tate.....	6372
profit or loss from estate, cannot make.....	6486
purchaser of decedent's property, cannot be.....	6428
realty, lease or repair, when.....	6376
possession delivered to heirs and devisees.....	6375

ESTATES OF DECEDENTS.—	<i>Section.</i>
<i>Continued.</i>	
executors and administrators, removal,	
causes for.....	6303
removal, one, of, proceedings.....	6371
petition for, made by whom.....	6364
resident, required to be.....	6340, 6346
restrained, pending contest.....	6311
sales, personalty, report to court....	6451
realty, conveyance executed by....	6454
petition for.....	6432
report to court.....	6452
postponed when.....	6448
purchaser at, cannot be.....	6428
specific performance compelled when	6461
suspension, cases in which allowed..	6367
taxes, to pay when.....	6422
testamentary, appointment.....	6307, 6308
time for final settlement.....	6496
exempt personalty set apart.....	6391
family allowance, exemptions.....	6391
extra.....	6393
paid when.....	6421
preferred claim.....	6394
time of continuance, estate insolvent	6393
foreclosure of liens securing claims al- lowed when.....	6404
fraudulent conveyances by decedent... 	6480
guardian, special, appointed when....	6215
qualifications.....	6216
homestead, appraisement.....	6390
court's power.....	6302
excess subject to creditors' claim....	6392
exempt from debts, how far.....	6389
possession and occupancy after death	6389
report of appraisers.....	6390
inventory, contents of.....	6380
debt bequeathed to executor included in.....	6384
executor's personal, included in..	6382
hearing.....	6392
life insurance included in.....	6385
oath to.....	6381
objections to.....	6392
partner, surviving, to make.....	6377
partnership, unsettled, interest in, included.....	6383
return, proceedings on.....	6392
supplementary, made when.....	6388
time for making.....	6380
issue, order, on, tried how.....	6239
raised how.....	6226
tried how.....	6230

INDEX.

	<i>Section.</i>
ESTATES OF DECEDENTS.— <i>Continued.</i>	
judgment after death not lien when	6475, 6477
death, before, collected how	6476
legacy, final distribution, before, as-	
essment against legatee, when	6508
bond for	6504
citation to parties interested	6505
debts of decedent, liable for, when	6398
order allowing, conditions of	6507
petition for	6504
allowed, when may be	6507
resist, who may	6506
paid when	6426, 6503
specific, exempt from certain liabilities	6398
letters, ancillary, authorized	
when	6332, 6333
ancillary granted, when not	6336, 6337
issued to resident of state when	6338
liens ordered paid when	6422
life insurance liable for debts when	6385
limitation of actions by heirs	6478, 6479
mortgage of decedent's realty author-	
ized when	6459
decree for	6460
petition for, contents	6460
mortgages ordered paid when	6422
motion defined	6235
nonresidents, agent to account annually	6533
agent, appointment for, required	6530
bond of	6531
liability on	6534
claim for money in treasury	6535
sale, proceeds, disposition of	6532
sale of property unclaimed	6532
orders, act, requiring or prohibiting,	
enforced how	6242
based on what	6235
citation required before granting,	
when	6238
contents	6236
costs awarded when	6240
defined	6235
enforced by contempt	6242
money, directing payment of, en-	
forced how	6241
objections to, taken how	6239
statements required in	6236
time of giving certain	6237
parties, generally	6198
joinder of	6222
persons interested may become, when	6200
petitioner or claimant, who is	6198

	<i>Section.</i>
ESTATES OF DECEDENTS.— <i>Continued.</i>	
parties, respondent, who is	6198
special proceedings, in, mode of be-	
coming	6201
substitution of, mode of making	6199
partition, assignment of whole estate	
to one or more	6520
commissioners, appointment by court	6517
appointment, property in different	
counties	6518
powers	6519
qualifications	6517
report	6522
set aside when	6522
estate, entire, to one, payment	
to others	6520, 6521
made how	6517
made when	6515
notice to parties interested	6519
required, when not	6514
sale of whole estate when	6523
shares set off, when and how	6516
warrant to commissioners	6517
partnership property, possession by sur-	
viving partner	6377
personalty withheld by third person, ci-	
tation	6378
examination	6379
petition to probate will, contents	6290
pleadings, answer, contain, what to	6224
contain, what to	6225
enumerated	6222
petition, contain, what to	6223
time for service of	6221
verification	6222
postponements, causes for	6228
ordered how	6229
proceedings, special, commenced how	6220
realty delivered to heirs and devisees,	
when	6375
rehearings, application for, made how	6251
application granted, duty of court	6253
show, what required to	6252
causes for granting	6250
defined	6249
residue of estate, transmitted to for-	
ign executor, when	6529
sales authorized when	6428, 6431
bond given, order to resort to	6440
sale not made	6439
choses in action	6444
confirmation of, required when	6428, 6430
contract for purchase of realty	6455

INDEX.

ESTATES OF DECEDENTS.—	<i>Section.</i>	ESTATES OF DECEDENTS.—	<i>Section.</i>
<i>Continued.</i>		<i>Continued.</i>	
sales, contract, assignment by legal representative	6458	sales, realty, terms of	6441
contract, bond to secure deferred payment	6457	realty, title does not pass without confirmation	6430
conditions and terms	6456	will, directed by, made without order	6430
decree, final, when estate insolvent..	6437	specific performance , cases in which enforced	6461
heirs may contest	6500	conveyance, effect of	6464
entire property, of, when	6437, 6523	decree directing conveyance	6463
notice of	6442	dismissal of petition without prejudice	6465
partnership interest and claim	6444	petition, contents	6462
perishable property, of, made when..	6429	taxes ordered paid when	6422
personalty, directed when	6435	trial conducted how	6230
expenses of funeral and administration, to pay	6429	issue, without, court may make	6231
first sold	6431	order, issue on, mode of	6239
pledged	6444	time of	6230
report to court	6451	vouchers , lost, proof admissible	6502
petition by third persons, when	6433	will , custodian, liability for not delivering	6284
postponement	6448	custodian to deliver to county court, when	6283, 6284
notice of, how given	6449	delivery, proceedings to compel	6285
price, minimum	6446	directions as to payment mandatory	6396
private, authorized when	6442	mandatory, when not	6397
notice of place of, to be given	6443	executed, cannot be until probate	6288
security for deferred payments	6450	opened by county judge when	6283
realty, all, when	6436	original, filed where	6287
appraisement for	6446	petition to probate, contents	6290
citation to parties interested	6432	probate, admitted to, if no contest, how	6295
confirmation, hearing, notice	6452	certificate on admitting to	6301
order of	6453	conclusive when	6305
conveyed fraudulently, after recovery	6482	contest, proceedings on	6293
conveyance on confirmation	6454	contest, witnesses required	6296
evidence of what	6454	decree on	6300
title, passes what	6454	evidence admissible	6299
decree for, contents	6441	executor to accept in petition	6294
devised, sold last	6441	foreign	6332
directed when	6435	evidence required on	6335
hours for making	6447	lost, special proof required	6298
limitation of action by heir to recover	6478, 6479	statement on granting	6302
nonresidents, made how	6524	nuncupative, conditions to	6286
petition for	6432	limitation of time for	6289
contents	6434	recorded, what to be	6303
proceeds applied to extinguish liens	6419	rehearing, contest on	6304
receipt of lienor accepted in payment	6445	witness, absence explained	6297
report to court	6452	written, limitation for probate	6289
hearing, notice	6452		
resale when	6453	ESTRAYS.	
security for deferred payments	6450	advertise, failure to, penalty	1583
stopped by giving bonds	6439	appraisal of, made how	1577

INDEX.

	<i>Section.</i>		<i>Section.</i>
ESTRAYS.—Continued.		EVIDENCE.—Continued.	
arbitration	1575	depositions defined.....	5667
brands, effacing.....	7665	destroying, misdemeanor, when	6981
conceal, attempts to.....	7665	divorce, what required in	2757
death of, liability.....	1584	entries made in performance of duty	
fees, generally.....	2100	enjoined by law.....	5697
keeping, for.....	1578	public officers prima facie.....	5698
lien on property.....	1582	public or official books.....	5697
more than one animal.....	1579	false, offering	6978
paid and collected how.....	1582	preparing, felony, when.....	6980
goods lost.....	1585	pretenses.....	8196
marks, effacing.....	7665	token or writing.....	8196
notice of, failure, penalty.....	1573	findings of railroad commissioners	
owner may take, when.....	1575	prima facie.....	3044
paper, official state, designation	1573	foreclosure, affidavit of printer.....	5862
filed where.....	1574	forgery, incorporation, what proof of	
personal property lost.....	1585	necessary	8216
sale authorized when.....	1580	good faith, of, admissible when.....	6896
deposit of proceeds.....	1580	grand jury, what may be received	
record of.....	1581	by.....	8013-8015
taken up, cases, when authorized.....	1571	handwriting to prove execution	3581
notice, how given.....	1572	homicide, burden of excusing on de-	
persons who have the right.....	1571	fendant	8214
title vests in finder, when.....	1576	indictment found in other state, when	8485
EVIDENCE.		instrument, acknowledged or proved..	5696
abortion, what necessary to conviction	8197	authenticated copy of record of, when	5696
accomplice, uncorroborated testimony		record of acknowledged or proved,	
insufficient	8195	when	5696
affidavits defined.....	5666	interpreter's oath	5706
use of.....	5669	justice's record of another county,	
articles of incorporation, banks, certi-		transcript of.....	5695
fied copies used as.....	3233	county, of, transcript of.....	5694
certified copies are.....	2870	judicial records, foreign countries.....	5692
barratry, what required for conviction	7006	states, of other	5691
bigamy, marriage, what proof sufficient	8215	laws, documents, etc., when.....	70
books of reports of decisions	5690	limitations, what necessary to stop	
codes or statutes of other states.....	5690	statute running	5220
Carlisle tables, of expectation of life..	5702	locomotive killing stock prima facie, of	
certified articles of insurance corpora-		negligence.....	2978
tion.....	3090	scattering fire prima facie, of negli-	
certificate of copy of writing, what		gence	2984
must state	5700	marriage records or copies are	2730
election, prima facie.....	21	official documents, proof of	5699
secretary of dental examiners	294	entries prima facie, of what.....	5698
codes of other states.....	5690	oral examination, defined.....	5668
common law, where found	2693	ordinances of village proved, how	2417
conspiracy, overt act must be proved..	8194	person accounted dead, when.....	5701
county commissioners' proceedings....	1901	pleadings, civil, not to be used as, in	
county surveyor's records.....	2029	criminal cases	5281
criminal actions, rules of.....	8192	preparing false, felony when	6980
decedent's statements or transactions,		publication, proof by affidavit	5693
inadmissible when.....	5653	receipt for premium in policy conclu-	
depositions, deemed, of party reading..	5682	sive	4499

INDEX.

	<i>Section.</i>		<i>Section.</i>
EVIDENCE.—Continued.		EXCHANGE.	
records, city auditor.....	2168, 2278	contract required to be in writing, when.....	3997
county auditor.....	1976	defined.....	3998
reports of decisions of other states....	5680	law governing sale applies.....	3998
seduction, what necessary to conviction	8197	money, warranty as to.....	3999
sheriff's returns prima facie.....	1994		
statutes of other states.....	5680	EXECUTIONS.	
suppressing by fraud, etc.....	7000	Civil Actions.	
tax deed, conclusive, of what.....	1268	amercement of officer entered of record, effect of.....	5559
testimony, modes of taking.....	5665	neglect, for.....	5555
treason, number of witnesses required	8193	notice of proceedings.....	5555, 5559
witnesses, judge or juror may be.....	5705	reimbursed, how, when.....	5561
persons who may be generally.....	5653	surety, enforced against, how.....	5560
witnesses, privileged, attorney.....	5703	assignment by officer of things in action	5512
clergyman.....	5703	bank bills need not be sold, when.....	5513
husband.....	5653	county court, in, issued how.....	6812
physician.....	5703	debtor of defendant may pay sheriff..	5514
privilege, how waived.....	5704	chattel interests not liable to.....	3329
public officer.....	5703	chattel real not liable to.....	3329
wife.....	5653	claim by third person, proceedings....	5515
		contents.....	5505
EXAMINATION OF OFFENDERS.		delivery of property, for, contents....	5505
(See <i>Preliminary Examination.</i>)		issued to county where property is..	5603
EXAMINATION OF PARTIES.		drafts need not be sold, when.....	5513
attendance, compelled how.....	5648	executed by levy and sale, must be....	5510
compelled out of county, not.....	5647	exemptions, (See <i>that title.</i>).....	5510-5530
authorized.....	5645	issued at same time to different coun- ties.....	5503
beneficiary examined when.....	5652	judgment for taxes, on.....	1283
examination before trial, when.....	5647	judgments, what, enforced by.....	5501
filed.....	5648	justices' courts, (See <i>Courts, Justices'</i>)	
notice to adverse party.....	5647	kinds of.....	5502
party may be examined on his own be- half.....	5651	levy, additional when.....	5511
persons who may be examined.....	5646	amount of.....	5511
rebuttal of testimony.....	5649	dissolved by insolvency proceedings, when.....	6036
refusal to attend, contempt.....	5650	manner of making.....	5507
testimony, how taken.....	5646	lien of officer dependent on possession..	4840
		lien on personal property, when.....	5511
EXCEPTIONS.		married women, against.....	5503
Civil Actions.		money appropriated without sale.....	5513
deemed taken to what.....	5463	mortgaged property liable to.....	5508
defined.....	5462	notice of sale, personal property, how given.....	5531
form, no particular required.....	5467	personal property, required.....	5531
referees, on trial by.....	5466	printer's fees paid in advance, when	5552
settlement after judgment.....	5468	real property, manner of giving.....	5532
time of taking.....	5462	required.....	5532
Criminal Actions.		officer, duties of.....	5509
deemed taken to what.....	8259	person, against, authorized when.....	5504
matters to which defendant may ex- cept.....	8262	contents.....	5505
right to, not restricted.....	8263		
settlement, term, after.....	8265		
trial, at, when.....	8264		
time for.....	8265		
(See <i>Statement of Case.</i>)			

INDEX.

<i>Section.</i>	<i>Section.</i>
EXECUTIONS.— Civil Actions.— Continued.	EXECUTIONS. — Continued.
	Criminal Actions.
person, against, issued to any county in court's jurisdiction	judgment, copy of, constitutes when . .
pledged property liable to	death, time of
principal and surety, against	death, who present at execution
proceedings of officer on	fine and costs
promissory notes need not be sold, when	fine and imprisonment
property, against, contents	
issued to any county where judgment docketed	EXECUTORS.
property liable to	(See <i>Estates of Decedents.</i>)
purchaser, rights acquired	EXEMPTIONS.
removing property to avoid	absolute , enumerated
rents, purchaser entitled to after sale . .	allowed to certain persons only
return, clerk issuing, to	only, allowed when
made by mail, when	additional by value
time of	determined by appraisal
road poll tax, for	alternative determined by choice of debtor
sales, absolute when	specific property, of
certificate of, contents, record	appraisers , oath and duties of
evidence of what	selected how
confirmation by court	cemetery lots
failure of, abandonment of levy	claim for, made by wife, etc., of debtor, when
made after return day	damages of trespassing animals, absolute only allowed
hours of making	debtor in supplemental proceedings, of . .
judgment reversed does not defeat title	heirs , set apart to
restitution by creditors	homestead
mode of, personal property	exempt from debt
real property	proceeds of sale of
perishable property	insolvency , allowed and selected in . . .
postponement	inventory of sheriff returned, how . . .
property applied without	levy , notice to debtor, when
purchaser entitled to deed, when	partnership can claim but one
officer cannot be	persons entitled to
real property, place of	personal property , exempt, disposition of
sold by whom	property, classes exempt from taxation . .
redemption from, (See <i>Redemption</i> .)	purchase price , none allowed
rents, purchaser entitled to, after	schedule to be made by debtor, when . .
sheriff may retain proceeds, when	taxation , from
use permitted after	time within which claim made
waste restrained after	widow , set apart to
sheriff's deed, contents	
evidence of what	EXPERIMENT STATION.
sheriff's successor may make	controlled by agricultural college board . .
vests what title	
sheriff's jury	EXPLOSIVES.
surplus paid defendant	buildings , destroying with
time within which issued	keeping unlawfully
use of premises by debtor after sale . . .	life, endangering human
waste restrained after sale	

INDEX.

	<i>Section.</i>		<i>Section.</i>
EXPRESS COMPANIES.		FALSE STATEMENTS.	
(See <i>Licenses, 1744-1750.</i>)		constructive, what is.....	6873
EXTORTION.		newspapers, by, to increase sale, mis-	
defined.....	7473	demeanor.....	7328
letter, sending threatening.....	7478	registration, procuring by, misde-	
money, attempts to extort.....	7479	meanor.....	6872
official right, under.....	7476	taxes, regarding, misdemeanor.....	7381
punishment.....	7475		
signature, obtaining by.....	7477	FEES.	
threats constituting.....	7474	acknowledgments.....	2102
EXTRADITION.		advance, may be required in.....	2104
officer taking reward for services in....	6910	articles of incorporation.....	2865
(See <i>Fugitives from Justice.</i>)		bailiffs.....	2106
FACTORS.		bill of, to be posted.....	2105
authority, actual.....	4354	certificate, professional normal.....	739
ostensible.....	4355	teacher's.....	743
barter, principal's property, cannot....	4354	clerk of district court.....	2067
credit, cannot extend terms of, when..	4136	supreme court.....	386
usual, may give.....	4136	commissioner of insanity.....	1530
defined.....	4134, 4353	insurance.....	3132
guarantee, agreement to, how released	4138	constables.....	2093
instructions, must obey, exception....	4135	coroner.....	2089
liability, if charging guarantee com-		corporate stock, increase of.....	2866
mission.....	4137	county judge in insanity cases.....	1530
lien for amount due from principal....	4836	county surveyor.....	2094
mortgage, cannot execute.....	4354	county treasurer, state land collections	210
pledge, cannot make.....	4354	estrays, in matters of.....	2100
FAIRS.		election officers.....	562
state exhibit, under whose charge....	128	interpreters.....	2101
direction of board of agriculture,		justice of the peace.....	2092
under.....	158	jurors.....	2094
FALSE PERSONATIONS AND		village justice's court.....	2414
CHEATS.		licensing ticket agent.....	2989
check, use of worthless, is.....	7492	marriage license, recording.....	2727
evidence necessary to convict.....	8196	notary public.....	2091
falsely personating another.....	7485	payment or security may be required	
fireman, falsely personating.....	7487	in advance.....	2104
grand army badge, unlawfully wear-		physician on coroner's inquest.....	2089
ing.....	7488	examination of insane.....	1530
mock auctions, etc.....	7493	printers.....	2099
money, receiving by means of.....	7486	paid in advance, when.....	5552
officers, etc., personating public.....	7487	railway police not entitled to.....	7946
property, obtaining by.....	7489	referees.....	2090, 5455
punishment in certain cases.....	7491	register of deeds.....	2079
signature, obtaining by.....	7489	secretary of state.....	95
obtaining for charitable purposes....	7490	sheriff.....	1530, 2082-2088
FALSE PRE TENSES.		state examiner, banks.....	3254
evidence necessary to convict.....	8196	building association.....	3218
signature or property, obtaining by....	7489	state treasurer, registering bonds.....	116
(See <i>False Personations and Cheats.</i>)		stenographers.....	419
		township officers.....	2623-2625
		weights and measures, testing.....	1728
		witnesses.....	2097, 2098
		railroad commissioners, before.....	3054

INDEX.

	<i>Section.</i>		<i>Section.</i>
FELONY.		FINDER.—Continued.	
accessories prosecuted how	8059	owner, duty to notify	4032
arrest for, made at any time	7916	owner, penalty for not notifying	4032
attempts to commit, when failing	7694	proof of ownership, may require, when	4033
compounding, punishment	8061	sale, how made	4037
defendant must be present at arraignment	8064	sale of thing authorized when	4036
trial, at	8125	storing releases liability	4035
verdict, at rendering of	8231		
defined	6804, 7743	FINDINGS OF FACT.	
defined in law of homicide	7059	preparation by judge	5453
disfranchisement, conviction for, works	6869	party, by	5453
divorce, conviction of, cause for	2737	referees, by, how made	5460
limitation	7876, 7877	stated separately from conclusions	5451
officer, duty of, on arrest for	7899	waived how	5452
principals, who are	8059	FINES.	
punishment for, generally	6811	added to imprisonment when	7704
warrant, bench, form	8067	corporation, judgment for, against	8421
form, if offense bailable	8068	county treasury, paid into	7736
		execution on judgment for	8299
		imprisonment until paid	8295
		judgment for, is lien on realty	8296
		school fund, state, go to	7736
FENCES.		FIREARMS.	
barbed wire, obstructing road with	7550	unlawful discharge of	7358
burning, punishment for	7565	FIRE DEPARTMENTS.	
hedge, to protect, placed in highway, when	1080	insurance tax for	2462-2466
injuring, etc., punishment	7570	FIRE ESCAPES.	
lawful, constructed how	1554	constructed how	1717
defined	1553	failure to construct, penalty	1718
owners bound to maintain	3379	hotel owners to provide	1717
FERRIES.		FIREMEN'S ASSOCIATION.	
boats, to be kept in repair	1171	(See <i>North Dakota Firemen's Association, 1031-1033.</i>)	
bond, violation of	7318	FIRE GUARDS.	
distance between	1167	(See <i>Prairie Fires.</i>)	
ferrriage, rates of	1169	FIRES.	
forfeiture for not maintaining	1175	refusing to aid at	7316
lease and franchise, of, when	1175	FISCAL YEAR.	
lease obtained how, term of	1168	defined	302
obtained how in unorganized county	1170	FISH.	
lessee to equip properly	1171	(See <i>Game and Fish, 7676-7683.</i>)	
hours to operate ferry	1171	FISH COMMISSIONER.	
license required	1167	commissioner of irrigation is	1651
running without	7317	duties	1651
money from lease to school fund	1173	reports, when	1653
temporary, may be operated	1174	FISHWAYS.	
unlawful, punishment for	1172	construction of	1649
unlicensed, punishment for	1167	county commissioners may build when	1650
FINDER.		dams to have way for fish	1649
compensation and reward	4034		
depository for hire, when	4031		
exonerated by surrendering thing	4038		
law inapplicable to property abandoned	4039		
lost property, not bound to take charge of	4031		

INDEX.

	<i>Section.</i>		<i>Section.</i>
FIXTURES.		FORECLOSURES.—Continued.	
defined.....	3272	Liens on Personality.	
defined, railway	2957	action authorized.....	5897
larceny	7456	attachments, provisions of law applica-	
tenant may remove, when.....	3492	ble.....	5902
FOOD.		barred, not, by failure to prove claim..	6404
adulteration of	7309	costs, attorney's.....	5577
sale, for.....	7649	judgment, provisions of.....	5901
calf less than four weeks old, killing		remedy not exclusive	5903
for sale.....	7650	undertaking, conditions of.....	5900
meat to be seized, when	7651	warrant, execution of.....	5898
selling meat of	7650	form	5899
poisoning, willfully.....	7251	issued by whom, when.....	5898
selling adulterated or unwholesome....	7649	issued on filing verified complaint...	5898
tainted, misdemeanor.....	7310	Mortgages on Realty by Action.	
FORCE.		action authorized.....	5865
degree used to protect personal rights	2719	dismissed on payment of installments	
using or advising to obtain possession	7355	due	5875
FORCIBLE ENTRY AND DETAINER.		excludes other proceedings.....	5867
misdemeanor, when	7355	stayed by deposit in court, when....	5876
returning to lands after removal.....	7356	barred, not, by failure to prove claim..	6404
(See <i>Courts, Justices</i> '.)		certificate of sale	5872
FORECLOSURE.		complaint, allegation of other proceed-	
Chattel Mortgages.		ings.....	5869
authorized when	5883	costs, atorney's.....	5577
barred, not, by failure to prove claim..	6404	deed, effect of.....	5872
costs, attorney's.....	5577	injury to property restrained	5882
enjoined when	5884	installments, sale of whole, application	
live stock, charges for keeping.....	5892	of proceeds.....	5880
notice of sale, contents of.....	5886	sale of whole on first default.....	5879
fees for publishing.....	5892	successive judgments and sales.....	5878
mortgagor's election as to mode of		judgment, action at law, in, effect of..	5870
giving.....	5885	includes what	5866
posted when	5885	parties, holders of unrecorded instru-	
publication of	5885	ments not necessary.....	5231
redemption, certificate, filing, effect...	5806	joinder of	5868
made how	5894	redemption.....	5881
notice of intention.....	5894	referee to view premises, when.....	5877
time of.....	5894	sales made by whom	5871
removing property from county misde-		notice.....	5871
meanor, when	5895	place.....	5871
sales, place, certain property need not		proceeds, application of.....	5873
be at.....	5893	application of, in installment mort-	
place, changed by agreement.....	5893	gages	5880
designated how	5893	whole on first default.....	5879
postponement of.....	5887	surplus, investment of, when.....	5874
proceeds, disposition of.....	5889	By Advertisement.	
purchaser at, who may be.....	5890	affidavit of publication, filing.....	5861
report of, contents, filing.....	5888	recording	5862
time of.....	5887	authorized when	5844
		barred, not, by failure to prove claim..	6404
		causes authorizing	5846
		certificate of sale, contents.....	5853

INDEX.

	<i>Section.</i>		<i>Section.</i>
FORECLOSURES.—Continued.		FORFEITURE.—Continued.	
certificate of sale, recording.....	5853	relief not granted to enforce	5020
costs and disbursements.....	5577, 5864	repeal of statute does not release.....	5142
deed, issues when, effect of	5856	state's attorney to prosecute.....	8457
enjoined when, how	5845	stipulated as penalty, void	3922
installments, for, when.....	5847	strictly interpreted against party bene-	
mortgagee may purchase at sale	5852	fited	3776
note on margin of mortgage record....	5863	waste, of estate, for	5921
notice of sale, form.....	5849		
publication of, how made.....	5848	FORGED INSTRUMENTS.	
redemption, notice of, given to whom..	5855	record, offering for	6961
persons who may make	5854		
time for.....	5854	FORGERY.	
sale made by whom	5850	certificate, false	7419
manner of making.....	5850	issuing false	7425
parcels, must be in, when.....	5851	reissuing canceled stock	7426
place of	5850	coin, counterfeiting for export	7429
purchaser, who may be.....	5852	counterfeiting, what is	7428
surplus, application for order to pay,		having counterfeit, in possession	7436
notice of	5859	deeds	7414
disposition of.....	5857	degrees, first, defined.....	7414, 7415
order for distribution of	5860	second, defined.....	7416-7420, 7422, 7423,
petition of claimant for.....	5858	7425-7428
		third, defined	7429-7434
FORFEITURE.		fourth, defined	7424, 7435, 7436
actions for, (See <i>Actions for Penalties</i>		entries, false, in corporate books	7434
<i>and Forfeitures.</i>).....	5785-5794	false, in public books.....	7431
limitation of	5202, 5203	records.....	7418
agreement for, void when.....	4684	erasures	7442
attorney, buying demands for suit 7008,	7011	evidence of debt, false	7427
bail	8457	incorporation, what proof of, necessary	8216
conditions on which relief granted from	4970	instruments, destroyed, allegations, etc.	8053
contracts, property subject to liens,		forged, having in possession.....	7423
void	4684	selling	7422
conviction for crime does not cause	7710	uttering	7438, 7439
bridge corporation, franchise, when ...	3164	name, fictitious.....	7444
failure to keep bridge in repair.....	3165	name, indorsing ones' own as that of	
exemptions, absolute only, allowed....	5530	another	7441
interest, of, for usury.....	4066	signing one's own as that of another	7440
inures to use of person aggrieved	8686	obliterations	7442
judgment of, taken how	8457	plates, false.....	7420
office, bribes, asking or receiving.....	6904	process of court.....	7430
exercising without qualifying	6900	punishment	7437
members of legislative assembly.....	6934	records and official returns.....	7417
mode of punishment, is	6802	seals, public and corporate.....	7416
reward for appointment or deputa-		securities, public.....	7415
tion.. ..	6913	stamps, United States.....	7433
officer buying demands for suit.....	7011	tickets, passenger	7432
judicial, receiving bribes.....	6936	trade-marks, etc.....	7256
records, stealing, mutilating, etc.,		wills	7414
public.....	6959		
place of trial	5242	FORMS.	
property, to state	5794	acknowledgement, certificate of.....	3584
relief from, conditions.....	4970	affidavits, garnishment	5389

INDEX.

FORMS.—Continued.	<i>Section.</i>	FORMS.—Continued.	<i>Section.</i>
affidavits, liquor from druggists, to obtain	7596	oaths, claimant's, insolvency	6062
petition in voluntary insolvency	6006	commissioners of railroads	3005
assignee in insolvency, notice of election	6023	election officers	486
bail, undertaking of	8454	foreman of grand jury	8004
bench warrant	8028	grand jurors	8005
judgment, after	8284	interpreters	5706
certificate, discharge in insolvency	6084	poor debtor	6140
election of state officers	542	per diem and mileage	2107
school district bonds by county auditor	778	witness at coroner's inquest	2013
tax, by treasurer	1279	district courts, in	5664
commitment, after examination	7971	permits for hunting	1644
examination, for	7956	plea to information or indictment	8101
complaint, action to recover taxes	1278	poor debtor's oath	6140
bastardy, in	7839	receipts, for orders on treasurer of state institutions	316
coroner's jury, return	2014	school tax, notice of levy	721
corporate signature	3535	search warrant	8406
docket of county court	6194	subpcena in criminal action	8363
election, certificate of state officers	542	summons, corporations, criminal action against	8414
notice of	512	district court, in	5248
school, notice of	674	garnishment	5384
garnishee affidavits	5389	justices' courts	6637, 6643
summons	5384	tax certificates	1261
grant of an estate in real property	3537	deed	1268
index of real property, register's	1955	city tax sale	2302
letters of administration	6356	list	1209
guardianship	6357	warrant, arrest	7892
testamentary	6354	bastardy	7840
testamentary administration	6355	coroner's jury	2010
marriage certificate	2726	felony	8067
license	2726	seizure of personalty, for foreclosure of lien	5899
mortgages, discharge by entry on margin	4718	warrant book of county treasurer	1297
personal property	4731	writ of habeas corpus	8653
real property	4725	FRAUD.	
notice, assessment of stock in private corporations	2921	action, right of for, accrues when	5201
election	512	actual, defined	3848
assignee in insolvency, of	6023	question of fact	3850
organization of new counties	1824	agent, cannot have authority to commit	4311
special school district	810	arrest for, in civil actions	5304
insolvency	6022	auctioneer, by	7376
meetings, members mutual insurance companies	3105	classified	3847
sale on foreclosure mortgage, real property, by advertisement	5849	constructive, defined	3849
sale of corporate stock for delinquent assessment	2923	contract exempting from responsibility for, void	3921
school election	674	contract not in writing on account of, enforced	3886
school tax levy	721	damages, exemplary for	4977
oaths, assessor	1191	insolvencies, in, misdemeanor	7514
city officers	2159	jurors, in drawing	6942

INDEX.

	Section.		Section.
FRAUD.—Continued.		FUNERAL.	
market price, affecting	7327	disturbance of	7203
marriage annulled for, when	2731	GAMBLING.	
partners, special, guilty of, misdemeanor	7271	articles kept for, nuisance	7234
powers, effect on	3440	destruction of implements	7241
rescission for	3932, 5038	forfeiture for	7235
things gained by, held in trust	4263	implements for, summary disposition of	7240
trustees, what transactions of, deemed	4266, 4270	keeping conveniences for	7238
weights of merchandise, punishment ..	7308	place for	7237
FRAUDULENT CONVEYANCES.		table, cards, etc., for	7232
making, misdemeanor	7511	table, cards, etc., punishment	7233
preference, unlawful, misdemeanor	7513	officers, duty to inform against	7243
property, receiving to defraud creditors, misdemeanor	7512	payment of things lost at, exacting ..	7235
removing to avoid process, misdemeanor	7512	seizure of implements for	7239
secreting, etc., to defraud creditors, misdemeanor	7512	vessel, permitting on, penalty	7244
using with knowledge, misdemeanor ..	7511	visit place of, persuading to	7242
FREEHOLD.		witnesses, not privileged	7236
created how	3337	GAME AND FISH.	
defined	3329	animals, birds and fish property of state	7676
estate during life is	3330	fees, permits	1645
malicious injury to	7569	permits, disposition of	1648
FREE TEXT BOOKS.		fish, catching near mill dam etc., prohibited	7680
furnished when	863, 864	catching restricted	7679
FREIGHT.		catching unlawfully, punishment	7681
(See <i>Carriers.</i>)		selling out of season	7679
FRUITS.		game, having in possession out of season	7678
cultivated, injuring, etc	7571-7573	killing, prohibited when	7677
FUGITIVES FROM JUSTICE.		shooting or killing restricted	7677
bail, may be admitted to	8487	unlawful killing, punishment	7677
committed when	8486	permits, county auditor to issue	1645
discharged when	8490	expiration	1645
duty of district court	8491	form	1644
governor may demand, when	8494	hunting without, unlawful	1643
requisition, must deliver on	8483	nonresidents, for	1645
reward, may offer, when	8482	report of, by county auditor	1646
officer's fees and compensation limited	8495, 8496	seines, etc., for catching fish destroyed	7682
proceedings for arrest and commitment	8485	shipping out of state prohibited	7683
return of magistrate	8491	warden appointed how, bond, duties ..	1642
reward, unlawful, taking, misdemeanor ..	6910	deputy appointed how	1642
state's attorney, duty of	8489	powers and duties	1647
notice to, required when	8488	GARNISHMENT.	
time given to apply for habeas corpus	8492, 8493	action against garnishee, when	5400
warrant for	8484	affidavit for, contents	5383
		service	5385, 5386
		affidavit admitting liability, contents ..	5390
		time for serving	5390
		affidavit denying liability, form	5389
		time for serving	5389

INDEX.

	<i>Section.</i>		<i>Section.</i>
GARNISHMENT.—Continued.		GIFT.—Continued.	
answer, conclusive, when	5393	in view of death, satisfied before death	3729
corporation, by whom made	5394	will, unaffected by, when	3561
authorized in what cases	5382	irrevocable, exception	3557
costs	5402	judicial officer, accepting, misdemeanor	6939
defense made by defendant, when	5395	verbal, requisites of	3556
discharge, if complaint not served	5388	GLANDERS.	
discontinued, deemed when	5389	animals, possession of, unlawful	1625
execution against garnishee when	5400	complaint to justice of the peace	1626
garnishee, answer conclusive when	5383	costs, justice to certify	1629
action against, permitted when	5400	justice, duty of after verdict	1627
deposit of property adversely claimed	5397	duty when complaint filed	1626
execution against, issued when	5400	preserves record	1629
judgment against, effect of on	5396	warrant to kill animals, disobeying,	1628
judgment not rendered in what cases	5399	penalty	1628
liability after summons served	5398	GOOD FAITH.	
payment, if liable, to whom	5392	defense, when	6896
principal action, may defend	5395	defined	5114
substitution of another	5397	evidence, may be given in, when	6896
interpleader when property adversely	5397	offer of performance must be made in ..	3807
claimed	5397	partner, highest, required of	4380
issues, law governing	5396	trustee, highest, required of	4264
judgment, answer, on	5393	GOODS.	
cases in which not rendered	5399	defined	7262
default, against garnishee	5391	lost, carrying out of state	7665
effect of, on garnishee	5396	concealment of, misdemeanor	7665
provisions of	5396	GOOD WILL.	
levy made when	5392	agreement to refrain from business,	3927
notice of election to take issue	5389	valid on selling	3927
proceedings deemed an action	5396	defined	3486
released by defendant, how	5401	ownership, subject of	3267, 3487
subsequent, may be made	5397	partner may not dispose of	4383
summons, form	5384	warranty implied from sale of	3983
service	5385, 5386	GOPHER TAX.	
trials, issues, how made for	5389	levy of	1344
tried when	5396	GOVERNOR.	
undertaking for release	5401	account of expenses and rewards	84
GAS.		offered, to keep	6918
consumption of, fraudulent	7459	acts forfeiting office	83
pipes, breaking, punishment for	7588	appointments, to make	83
GEOLOGICAL SURVEY.		bonds, may require additional from	350
(See <i>University of North Dakota</i> , 898-		state officer	350
904.)		bribes, receiving	6918
GIFT.		citizenship, may restore to, when	8440
accepting from parties to litigation	6939	cruelty to animals, appoints agent to	1586
defined	3555	investigate	550, 551
defined as to bribery	6940	election, special, to call when	1573
in view of death, legacy as to creditors,		estray paper, designates official	8483
treated as	3562	fugitives, delivers, on requisition, when	8482
presumed when	3559	reward for, may offer when	8482
purchasers, rights of	3560		
revocable	3560		

INDEX.

	<i>Section.</i>
GOVERNOR.—Continued.	
fugitives, surrender, may demand when	8494
historical commission, member of	152
judges supreme court, may require opinion of, when	8307
member of what boards	83
member of legislative assembly, menacing	6918
threatening	6918
messages of, number printed, etc.	58
militia, to issue commissions in	1361
nominations, agreements for, for votes	6931
officer, may command force to aid, when	7787
organ of communication with other states	83
pardons, application for, rules governing, made by	8438
papers filed with secretary of state	8439
power to grant	8431
reported to legislative assembly when	8433
warrant for, obedience to	8442
penitentiary, board of trustees of, appointed by	8519
board of trustees, may call meeting of	8521
insane inmates, may order transfer of	8590
person acting as, duties	85
powers and duties	83
presidential electors, certificate of election issued by	582
proclamation, resisting after, punishment	7795
reform school, board of trustees, appoints	8519
board of trustees, meetings of, may call	8521
proclamation of opening	8589
register of appointments, to keep	84
pardons, to keep	84
reports to, when made	73
rewards, may offer for escaped convict	83
Russian thistle and French weed board, appoints	1690
salary	86
state examiner, appoints	136
remove, may	136
state treasurer, may remove and appoint when	110
suspend, may, when	109
supervision of officers	83
United States may ask aid of to enforce laws, when	7788
vacancies, fills	83
veterinary medical examiners, to appoint	1616

	<i>Section.</i>
GOVERNOR.—Continued.	
veterinarians, deputy appointed by, when	1614
district, appoints how	1595
GRAIN.	
burning, punishment for	7565
carriers to ship without discrimination	3065
injuring standing, etc.	7571
GRAND ARMY.	
badge, unlawful wearing, punishment	7488
GRAND JURY.	
(See <i>Jury.</i>)	
GRANT.	
after acquired title passes by	3547
benefit taken though unnamed	3530
conclusive against whom	3540
corporate power, of, subject to repeal	2851
covenants implied from use of word	3539
defined	3514
delivered constructively, when	3520
delivery, absolute, must be	3517
presumed at its date	3516
takes effect only on	3515
esement, creates and passes	3538
fee simple title presumed	3545
form	3537
former part prevails	3525
heirs, without issue, defined	3526
highway, passes title to center of	3542
incumbrances defined	3549
interpretation, grantee, in favor of, except public	3524
contracts, same as	3521
recitals, recourse had to, when	3523
limitation in, not controlled by words less clear	3522
power may be created by	3415
proved by subscribing witness, when	3536
record, entitled to	3563
seal not required	3536
takes effect on performance of condition	3546
thing includes incidents	3529
valid without attornment of tenant	3543
pro tanto	3541
vests actual title	3528
void against subsequent purchaser, etc., unless recorded	3594
writing, only by, or operation of law	3531
words unnecessary to fee	3527

INDEX.

	<i>Section.</i>		<i>Section.</i>
GUARANTY.		GUARDIANS.—Continued.	
acceptance necessary, of mere offer of	4630	ad litem, liable for costs of plaintiff ward	5590
unnecessary	4630	minor, appointed for, when	5225
banking corporations, prohibited from		mode of appointing	5226
making	7522	persons of uneound mind, appoint-	
conditional obligations	4637	ment for	5227
consideration necessary, when	4627	probate code, effect of	6548
continuing, defined	4640	security, to give, when	5229
letter of credit is, when	4670	appeal by, taken how	6258
revocable at any time, when	4641	appearance in legal proceedings	6354
contract, not completed, what implied	4631	appointment, authority of parent ceases,	
defined	4625	on	2785
exoneration of guarantors, alteration		consent necessary when	2812
of original obligation, by	4642	county court, by	2814
delay, mere, is not	4646	made how, by whom	2812, 2814
discharge of principal by law, is not	4648	persons entitled to	2817, 2818
guarantor indemnified, always liable	4647	power, none without	2813
impairing or suspending remedies or		preference in	2818
rights, by	4642	rules governing	2817
promise void or voidable does not		bonds, action against sureties	6584
effect	4643	action against sureties, limitation	6584
proportional, by part performance	4645	justification	6349
rescission of agreement exonerating		preserved where	6583
does not restore liability	4644	required	6347, 6349
guarantor, conditional obligation, en-		sale of real estate, for	6350
titled to notice, when	4637	citation served on, when	6205
conditional obligation, extent of li-		classification of	2909
ability	4637	compensation and expenses	6560
liable on principal's contract, though		competent, who are	6346
incapacitated	4639	county court, appointment by, author-	
obligation, limit of	4638	ized	6537
payment, of, liable when	4636	appointment of more than one, when	6586
performance, of, liable when	4636	court has control of	2823
unlawful contract, not liable on prin-		debts of ward, pay how	6553
cipal's	4639	defined	2807
knowledge of principal unnecessary	4626	discharge, accounts, settlement pend-	
obligation good or collectible, imports		ing, proceedings	6369
what	4632	effected how	6368
insolvency presumed from removal,		entitled to, when	2829
when	4634	duties to wards	6554
omission of proceedings to collect no		enjoined by county court, when	6367
discharge, when	4633	estate of ward, inventory and account,	
principal, knowledge, unnecessary	4626	make	6557
unconditional, deemed, when	4635	rules of management	6555
writing, must be in, when	4628	general, defined	2810
need not be in, when	4629	insane, petition for appointment for	6549
GUARDIANS.		joint, power of survivor	2824
accounts, allowance and settlement,		jurisdiction, court appointing has ex-	
when	6558	clusive	2816
collects	6554	law governing	6571
final settlement of, made how	6368	minor, appointment made, how	6537
joint, of, allowed and settled how	6559	appointment made by, when	6540
ad litem, costs, liable for, when only	5228	person entitled to	6541
		bond	6544

INDEX.

	<i>Section.</i>		<i>Section.</i>
GUARDIANS.—Continued.		GUEST.	
minor, bond, conditions	6545	protection, degree of force used in	2719
custody of	6542	GUIDE POSTS.	
retained until majority	6543	injuring, removing, etc., misdemeanor	7552
debts paid how	6553	townships to erect and maintain ..	2646-2650
expenses, extra, paid how	6546	GUNPOWDER.	
judge may appoint, when	6539	keeping in city or village, misdemeanor,	
marriage terminates	6582	when	7290
nominates, when	6538	unlawfully, causing death, man-	
person and estate	6537	slaughter	7093
oath	6347	HABEAS CORPUS.	
filed where	6348	commitment, penalty for not serving	
partition without action, may consent		on prisoner	8684
to	5838	service on prisoner	8684
persons of unsound mind, appointed		concealing person entitled to, misde-	
for, when	6550	meanor	7278
petition for appointment	6549	assisting in, misdemeanor	7279
powers and duties	6551	danger of removal from jurisdiction,	
powers, generally	2819	duty of court	8674
person, of	2820	discharge granted when	8677
superseded when, if appointed by		obedience to order of, enforced how	8673
parent	2826	person entitled to, when	8661
suspended, how only, if appointed by		procedure, when person not entitled	
court	2827	to	8666
property of nonresident, of	2815	prosecution, for want of	8679
property, of, powers	2821	hearing, notice to state's attorney	8669
relation is confidential	2822	insane entitled to	1529
removal, causes for	2825, 6363	jurisdiction of supreme court	5165
court, by, when	6365	penalties inure to person aggrieved ...	8686
security for deferred payment, must		recovery, no bar to civil action	8687
take	6573	removing prisoner to avoid writ	8683
service on, is service on ward, except ..	6205	prisoner, removal of, to avoid writ ...	8683
special, answer in special proceedings		removal to another prison permitted	
not verified	6222	when	8681
appearance, effect of	6217	prohibited	8681
appointed how	6215	rearresting on same charge, penalty ...	8685
defined	2811	time given to apply for, when	8492, 8493
powers	6215	warrant, execution of	8675
qualifications	6215	issued on danger of removal from	
qualify how	6216	jurisdiction	8674
suspended by county court when	6367	procedure under	8676
testamentary, bond	6547	return to	8676
duties	6547	writ, application granted by what court	8651
wards, maintenance and support	6556	bailed, imprisoned for want of	8665
sale for investment, application of		committed to custody of what officer	8667
proceeds	6563	judgment rendered, until	8668
authorized when	6562	commitment, informal, from justice	
sale of property, authorized when ..	6561	of the peace	8663
wards, nonresident, appointed for,		procedure if person guilty	8664
when and how	6575	discharge, causes for	8662
bonds	6577		
petition for appointment	6575		
powers and duties	6576		
property, removal of	6578		
(See <i>Wards</i> .)			

INDEX.

	Section.		Section.
HABEAS CORPUS.—Continued.		HEDGES.	
writ, defect of form, cannot be dis-		protection of by fence in highway.....	1080
beyed for	8671	HEIRS.	
directions of.....	8653	action against administrator for fraud	6473
district court grants, when	8651	pending, may continue, when	5234
expense of execution paid how.....	8688	quiet title, to, may maintain	6466
person taken out of county	8670	agent, nonresident, appointed for.....	6530
form	8653	account, annual, to render.....	6533
granted when	8652	liability on bond.....	6534
hearing, proofs on.....	8660	aggrieved, may sue on administrator's	
time of.....	8659	bond.....	6472
indorsed how	8653	attorney, represented in county court,	
informality, not denied for.....	8652	by	6214
issued in discharge of bail.....	8688	claims allowed, may contest.....	6500
issued for witness, how.....	8688	death, without, meaning of	3526
officer refusing to execute and return		deceased, property distributed how ...	6509
penalty if judge delays	8682	fee, words unnecessary to.....	3527
officer refusing to execute and re-		guardian, represented in county court,	
turn	8655	by	6214
person in custody must be produced		judgment, may revive and enforce, when	5235
need not be produced when	8658	minor, represented by guardian	6217
persons not entitled to.....	8649	nonresident, property unclaimed sold,	
petition for, contents	8650	when	6532
prosecuted by whom.....	8648	obligations of, receiving share of estate	6507
purpose of.....	8648	petition for administration, may oppose	6318
return, contents.....	8656	removal of administrator, for.....	6364
controverted, may be	8660	possess estate by administrator,	
returnable before whom	5166	when	6372. 6466
second, may issue when	8672	real estate, entire to one, others paid ..	6521
proceedings on	8672	possession of, take, when.....	6375
service made how and when	8678	security, increased, may require, when	
made by whom.....	8654	and how	6358
manner of.....	8654	unknown, money deposited for	6535
supreme court grants, when.....	8651	will, notice of contest of.....	6291, 6304
trial, not allowed to delay....	8680	notice of application to probate	6292, 6334
verification	8650	probate of, may oppose	6293
HANDWRITING.		HEIRSHIP.	
(See <i>Evidence</i>)		cost of establishing, paid how	6345
HAY.		decree establishing, contents	6343
baled, omitting to mark	7307	effect	6343
burning, punishment for.....	7565	recorded where.....	6344
HEAD OF FAMILY.		hearing of petition to establish.....	6342
defined as to homestead.....	3625	petition to establish	6341
husband is.....	2764	proof of allegations	6342
HEALTH.		proceedings to establish	6341
law, violation of, generally.....	7298	HERDING AND DRIVING.	
officer, violating orders of.....	7295-7297	drover defined	1544
penalty for violating laws relating to ..	274	drover, stock, mixing, duty to prevent	1545
vaccination required.....	267	resident stock mixing, duties.....	1547
(See <i>Boards of Health.</i>)		settlers, duty to protect....	1545
		trespass, penalty for.....	1545

INDEX.

	<i>Section.</i>
HERDING AND DRIVING — <i>Continued.</i>	
stock , driving off, wrongfully, penalty	1546
grower, defined	1544
run at large, may, when	1549
trespassing , damages for	1545
HERD LAW.	
abolishment authorized when	1551
submitted again, when	1552
brand , failure to, penalty	1564
county auditor to enforce	1565
election authorized to repeal	1550
ballots marked how	1551
conducted how	1550
time, notice of	1550
fences , lawful, constructed how	1554
defined	1553
live stock must be branded	1563
owner of stock, liability of	1564
sheriff to enforce	1565
HIGHWAYS.	
alteration of joint township and city	1153
awards for damages from what funds	
paid	1067
bids , advertisement for	1084
boundaries by	3374
changing to section lines	1075
cities , in	1146
road funds to be turned over, when	2499
conveyance of, recorded where	1071
county lines , on, opened and repaired	
how	1076
county surveyor , compensation	1087
damage , ascertained how	1065
disposition of	1063
opening, for, awarded by whom	1061
refused, procedure on	1066
roads on public lands, for	1078
ditches , for draining, injuring, punishment	1152
proceedings to obtain	1151
districts in cities established	1146
fences , allowed in, for hedge protection	1080
removal authorized when	1073
notice of	1073
funds , apportionment to	1084
hearing of petition for, ordered by whom	1060
hedges may be planted on	1080
injuries to, felony	7549
judgment for, recorded where	1071
labor , estimate of, who makes	1121

	<i>Section.</i>
HIGHWAYS. — <i>Continued.</i>	
land , public, over	1078
law of the road , drunken drivers not to	
be employed	1157
liability of owner or driver to passenger	1159
teams to be hitched	1158
punishment for leaving unhitched	1158
vehicles turn to right	1155
violation , punishment for	1156
lines , on county, opened and and repaired how	1076
township , on, opened and repaired how	1076
mile boards or guide posts, injuring	7552
money appropriated for, returned to fund, when	1064
notice of hearing petition for, service	1060
obstruction , barbed wire fence	7550
constitutes, what	1147
penalty for	1111
punishment for	1127, 1147
removal by road overseer	1127
road supervisor, by	1110
opening , crops, through, forbidden	1069
proceedings before whom	1053
owners , between two	1052
compensated how	1063
payment for improvements made, how	1085
petition , improvements, for	1083
opening, vacating or changing, for	1054
contents	1055
public , defined	1050
racine upon, misdemeanor	7330
railroads , bridge over, requisites	2956
crossing, to restore	2955
owners, duty when track crosses	1072
road districts apportioned when	1096
road fund , county, expended how	1082
levy and collection, amount of	1081
road labor , commutation of, paid when	1129
commutation, rate of, to whom paid	1129
complaint by road overseer	1133
estimate of, made by supervisors	1121
fine for refusal to do, collected how	1135
disposed of, how	1136
justice of the peace, duty on complaint filed	1134
list, contents	1122
notice of	1126
persons liable to	1122
receipt for	1126
road taxes, accepted as payment of	1127
refusal to perform, fine for	1132

INDEX.

	<i>Section.</i>		<i>Section.</i>
HIGHWAYS.—Continued.		HIGHWAYS.—Continued.	
load labor, report of.....	1115, 1143	road tax, complaint, duty of justice on	1102
substitute may be employed	1131	execution for.....	1104
team or cart, etc., power to require..	1130	expended where	1108
roads on line of city, village or town- ship	1153	failure to pay, penalty	1100
road overseers, accounts, failure to render, penalty for.....	1145	levied by whom.....	1122
authority to use teams, plows and wagons	1130	money collected, used how	1141
cities, in, appointed how.....	1146	payment, supervisors not to excuse..	1105
commutation of road labor, to expend how	1128	proceedings to collect.....	1103
compensation of, paid how.....	1138	receipt, overseer to give.....	1126
ditches for draining, duties as to 1151,	1152	work for	1107
duties.....	1116	worked when.....	1106
neglect of, penalty for	1119	section lines are	1050
firebreaks, duty as to	1665, 1666	laid out on, must be, if practicable..	1074
warden, is.....	1664	settler's rights	1077
money, to pay over when.....	1144	streams, navigable, are public	3373
failure to pay over, penalty	1145	survey for improvements	1083
noxious weeds, to destroy.....	1685	tax for, rate limited	1914
obstructions, to remove.....	1127	tax list, additions, overseers to make..	1125
prosecutes failures to work	1134	contents	1123
receipts, give for road labor.....	1127	copy to overseer	1124
report to supervisors, contents	1143	township, contract system, (See <i>Town-</i> <i>ships.</i>)	2668-2673
report of work, contents.....	1115, 1143	lines, on, opened and repaired how ..	1076
roads, dangerous, repair	1127	township supervisors, care of roads ...	1114
labor, no power to excuse from....	1137	labor, make estimate	1121
work, three-fourths to be done by		meeting	1120
August 1.....	1142	road labor, to report.....	1115
tax list, failure to return, penalty for	1140	vacation of, proceedings before whom	1053
furnished to.....	1124	viewers, appointment.....	1056
marked how.....	1139	compensation	1059
names, adds omitted	1125	oath and duties	1056
return, when.....	1139	qualifications.....	1057
team, wagon, etc., may require.....	1130	report.....	1058
vacancies filled how.....	1117, 1118	considered by whom.....	1061
road poll tax, amount	1098	hearing on	1060
road supervisors, appointment.....	1096	notice of hearing	1060
complaint, to make, when.....	1101	order after hearing	1062
ditches for draining, duties as to 1151,	1152	recorded where.....	1068
duties.....	1097	watering places, proceedings to obtain	1150
fences, may remove, when	1073	troughs, bounty for maintaining	1148
firebreaks, duty as to.....	1665, 1666	well or spring, bounty for maintaining	1149
warden, is.....	1664	width of.....	1051
list, to make.....	1097	HIGH SCHOOL BOARD.	
notice to	1070	(See <i>Education, 867-873.</i>)	
noxious weeds, to destroy.....	1685	HIRING.	
obstructions, to remove.....	1110	General Provisions.	
refusal to serve, penalty.....	1113	defined.....	4069
report.....	1112	hire, proportionate paid, when.....	4079
road work notice, to give.....	1099	hirer, deteriorations from negligence, to	
tax levy to pay	1108	repair.....	4073
		injuries, negligent, to repair	4073

INDEX.

	<i>Section.</i>		<i>Section.</i>
HIRING.—Continued.		HOMESTEAD.—Continued.	
hirer, liability for unauthorized use...	4074	conveyance in case of insanity, appeals	
ordinary care, bound to use.....	4072	from orders directing.....	3637
use only for purpose let.....	4074	application for, notice.....	3634
products belong to hirer.....	4070	authorized.....	3632
quiet possession to be secured to hirer	4071	order for sale, record.....	3635
termination, causes effecting.....	4077	petition for, requisites.....	3633
death, by, when.....	4078	proceeds, disposition, power of court	3636
hirer, by, causes for.....	4076	validity.....	3638
letter, by, causes for.....	4075	declaration, contents.....	3622
Personal Property.		execution and acknowledgment... .	3621
charter party.....	4093	made by whom.....	3620
hirer, expenses, bears ordinary.....	4090	record.....	3623
rights on failure of letter to fulfill		decree, setting off, contents.....	3629
obligation.....	4091	defined.....	3605
letter, obligations of.....	4089	definitions, head of family.....	3625
return of thing hired.....	4092	homestead estate.....	3627
Real Property.		youngest.....	3627
dwelling, lessee may repair or vacate,		descends exempt, exceptions.....	3630
when.....	4081	descent and distribution.....	3626
obligations of lessor.....	4080	devise, subject to estate.....	3631
repairs deducted from rent when....	4081	division on execution.....	3615
letting, double, of rooms forbidden....	4088	divorce action, disposition of in.....	2762
lodgings, term presumed to be rent		execution, subject to, when.....	3607
term.....	4083	exempt.....	3605. 6389
notice to landlord of adverse proceed-		insolvency, in, if selected.....	6046
ings.....	4087	limitations, statute of.....	3609
renewal presumed when.....	4084, 4085	mortgage in case of insanity.....	3632-3638
rents, when payable.....	4086	possession and occupancy of.....	6389
term presumed to be one year.....	4082	sale, effect of.....	3624
		proceeds exempt.....	3619
		sale on execution allowed when.....	3616
		proceeds exempt, disposition of.....	3617
		sale for taxes, how made.....	1257
		selection of, from what prop-	
		erty.....	3606, 6046, 6389
		setting off after death.....	3628
		valued by whom.....	6390
HISTORICAL COMMISSION.		HOMICIDE.	
composed of whom.....	152	act imminently dangerous to others... .	7063
duties.....	153	anger not a defense.....	7062
HOLIDAYS.		classes of, enumerated.....	7054
act due on, performed next day.....	5127	corpus delicti proved how.....	7055
courts, terms falling on, commence		cruelty, unusual, in, considered.....	7057
next day.....	412	defined.....	7053
enumerated.....	5124	design to effect death may be formed	
following day holiday when.....	5125	instantly.....	7061
HOMESTEAD.		design to effect death inferred when..	7060
appraisal on execution.....	3610	excusable, accused acquitted.....	7100
appraisers, application for.....	3611	cases in which.....	7097
appointment, oath and duties.....	3613	excusing, burden on defendant, when..	8214
duty.....	6390	intoxication not a defense.....	7062
fees.....	3618		
petition for, filed.....	3612		
report to judge.....	3614		
value estimated by.....	6390		
ascertained how.....	6389		
conveyance how made.....	3608		

INDEX.

	<i>Section.</i>		<i>Section.</i>
HOMICIDE.—Continued.		HOSPITAL FOR THE INSANE.—	
kill ing husband, wife, servant, master		<i>Continued.</i>	
is	7056	superintendent , visits by trustees.....	993
justifi able, accused acquitted.....	7100	treasurer	310
cases in which	7099	HOTELS.	
officer, by, when.....	7098	accommodation , obtaining fraudulently,	
mine , forcibly taking, result of.....	7083	at.....	7674
premeditation described	7061	fire escapes , to have, when.....	1717
(See <i>Manslaughter and Murder.</i>)		(See <i>Innkeeper.</i>)	
HOSPITALS.		HOUSE.	
contagious diseases , for persons affected		keeping for fighting animals.....	7561
with	271	HOUSE OF WORSHIP.	
township board of health may provide	2590	injuring , punishment	7566
HOSPITAL FOR THE INSANE.		HUSBAND AND WIFE.	
accounting officer	309, 313	abduction forbidden	2718
accounts , method of keeping, (See <i>State</i>		acts of other , neither answerable for ..	2770
<i>Institutions.</i>)	309-321	dwelling , neither can be excluded from	
appropriations , how used	997	other's	2766
board of trustees , appointment.....	985	exempt personal property to surviving	6391
blanks and by-laws furnished by....	1008	homestead , conveyance, when	
bond and oath of members.....	987	either insane.....	3632-3638
compensation.....	986	husband , courtesy, has no estate by ...	2770
meetings	991	head of family , is	2764
powers and duties generally.....	992	property not liable for wife's ante-	
proceedings, record of	990	nuptial debts.....	2770
reports.....	990	residence, chooses.....	2740, 2764
quorum	991	support, must furnish	2765
sessions	986	wife , abandoning, punishment	7176
buildings , erection or repair of	996	children of, by former husband,	
defendant committed to, expenses, how		not bound to support.....	2790
paid	8406	refusing to support.....	7175
found insane, committed to	8403	obligations of , mutual towards each	
location	984	other	2763
objects	988	property , interest in others, neither	
officers , appointment, compensation		has	2766
and qualification	992	transfer by abandoned, authorized..	2773
patients , admission and discharge....	998	binding	2774
admission, preference in.....	1000	set aside when	2775
care of, to be impartial	999	protection , what force may be used....	2719
charges for	998	relations , marital, cannot alter, except	2768
discharge of, before cured	1003	seduction of wife forbidden.....	2718
when cured	1002	wife , allowance for support	6393
without application, proceedings		dower, has no estate by.....	2770
.....	1004, 1005	earnings of herself and children, her	
escape and return of.....	1001	property when	2770
seal to be affixed to official instruments	1007	liable for husband's debts, not....	2770
steward , duties of....	995	necessaries of, husband liable, when	2771
storekeeper , duties.....	317	property of, not liable for husband's	
superintendent , bond and oath.....	994	debts	2770
duties.....	994	residence, must conform to husband's	
funds of inmates, as to.....	311	choice	2740, 2764
immunity from prosecution	1006		

INDEX.

	<i>Section.</i>		<i>Section.</i>
HUSBAND AND WIFE.—Continued.		INCUMBRANCER.	
wife, rights and capacity	2767	good faith, in, devise does not impair	
support of husband, furnishes, when	2765	rights, when	3726
liable for, when not.....	2772	lien dependent on possession extin-	
ICE CUTTINGS.		guished as to, when	4698
guards at	7322-7324	mortgage not lien against.....	4713
IDIOT.		mortgage, personalty, invalid as to,	
crime, incapable of committing.....	6814	unless refiled.....	4737
IMITATION.		void against, unless filed.....	4733
plates deemed, when	7421	power, lien only from time of record	3418
IMMIGRATION.		protected	3603
commissioner of agriculture and labor,		unrecorded grant void against.....	3594
duty	127	specific performance not enforced	
fund for, how kept.....	1909	against	5033
tax, special county, for	1908	transfer of personalty without pos-	
IMPEACHMENT.		session presumed fraudulent.....	5053
(See <i>Office, Removal From, 7796-7822.</i>)		record of instrument, notice to subse-	
IMPRISONMENT.		quent	3597
civil rights, suspends, when	7706-7708	mortgage of realty, of, notice to sub-	
fine may be added to, when	7704	sequent	4728
juvenile offenders.....	7703	value, for, grant to, operates as revo-	
life, is civil death.....	7707	cation of former grant, when.....	3601
person sentenced to, protected by law..	7709	instrument intended to defraud void	
sentence of, when expires.....	7702	against.....	3599
successive terms of.....	8294	privity to fraud cures it.....	3600
term of, commences when.....	7705	transfer cannot be shown to be mort-	
term not prescribed, may be for life ..	7701	gage against.....	4703
two or more convictions	7700	trust, implied, cannot prejudice rights	3387
INCEST.		INDECENT EXPOSURE OF PER-	
defined.....	7185	SON.	
INCIDENT.		defined.....	7206
lien is, to act secured.....	4694	INDEMNITY.	
transfer of thing transfers.....	3529, 5102	act, against future unlawful, void....	4616
INCOME.		done, against, valid unless felony ..	4617
accumulations, allowance to minor		person, of, includes agents	4618
from	3315	applies to each, if several indemnified	4619
benefit, for whose directed.....	3313	bail in legal proceedings	4623
illegal, what.....	3312	carrier may require, when	4204
void beyond minority.....	3314	defined.....	4615
defined.....	3322	instrument, lost, as condition of pay-	
disposition, governed how	3311	ment.....	4894
undirected, who owns.....	3317	interpretation, rules governing.....	4621
INCUMBRANCES.		liability of person indemnifying against	
covenant against, form	3957	future act.....	4620
devised property, effect on.....	3669	person giving, has rights of surety	
includes what	3549	when	4622
		publication, to parties summoned by ..	5413
		sheriff, to, when	5341, 5515
		state, to, for costs	5744
		INDIANS.	
		apprenticeship of children, how made	2835
		harboring, punishable when	7667

INDEX.

	<i>Section.</i>		<i>Section.</i>
INDIANS—Continued.		INDICTMENTS.—Continued.	
leasing of land	2712	words, construction of in	8045
liquor, selling to, misdemeanor	7622	statutory, not strictly pursued, when	8046
marriage contracts valid	2728	INDORSEMENTS.	
rights and duties same as other persons	2712	unlawful, by banking corporation	7522
voting	2712	(See <i>Negotiable Instruments.</i>)	
qualifications	480	INDUSTRIAL SCHOOL.	
INDICTMENT.		accounting officer	309, 313
accessory, what allegation sufficient ..	8059	accounts, method of keeping, (See <i>State Institutions.</i>)	309-321
allegations must be certain and direct as to what	8040	board of trustees, appointment	975
answer, time allowed for	8080	buildings, construction	980
arrest upon, how made	8036	cost limited	981
conspiracy, overt acts must be alleged ..	8194	deed filed where	983
contain, what must	8039	site	982
corporation, against, summons	8420	donations, disposed of, how	979
crime must be prosecuted by, when	7745, 7979	received by board	978
defined	7882	funds, account to governor, duty of board to	979
demurrer to, grounds of	8091	kept how	977
disclosing, when misdemeanor	7030	maintenance, for	976
embezzlement pleaded how	8055	reported and covered into treasury ..	979
errors in, disregarded when	8048	location	974
evidence, on what to be found ..	8013-8015	storekeeper	317
finding, twelve jurors necessary to ..	7992, 8031	treasurer	310
forgery, description of instrument unnecessary, when	8053	INFORMATION.	
indorsement of	8031	defined	7893
judgments pleaded how	8050	form, amendments of	7987
larceny pleaded how	8055	filed by whom	7985
libel, extrinsic facts, what sufficient statement	8052	presented to court when	7982
motion to set aside, denied, answer, when	8085	prosecution by, when authorized	7982
granted, procedure	8086, 8087	verification, form, made by whom	7986
heard when	8084	witnesses' names must appear on	7985
made how	8083	(See <i>Indictment.</i>)	
time for making	8083	INJUNCTION.	
name in, fictitious, procedure	8041	affidavit, copy of, served with	5345
none found, procedure	8032	application to vacate, how made	5350
obscene literature	8056	cases in which granted ..	5045, 5344
offense, must charge but one ..	8042	granted, when not	5046
order setting aside, when not a bar ..	8088	common carriers, enjoining until law obeyed	3033
perjury pleaded how	8054	counter affidavits, used when	5351
presented to court, procedure	8035	final, when granted to prevent breach of obligation	5045
setting aside, causes for	8082	injury to foreclosed realty, to restrain ..	5882
statements in, not required	8049	insurance company, against insolvent domestic	3128
statute, private, pleaded how	8051	mining claims, affirmative relief in ..	1443
sufficient when	8047	notice to corporation of application for, when	5349
time of offense charged how	8043	required when	5346
treason, overt acts must be charged ..	8193		
witnesses' names indorsed on ..	8034		

INDEX.

	<i>Section.</i>		<i>Section.</i>
INJUNCTION.—Continued.		INSANE.—Continued.	
order made by whom	5343	commissioners, powers and duties.....	1516
order to show cause when.....	5346, 5348	salary, how paid.....	1530
supreme court, jurisdiction of in	5165	confinement of, unlawful	7276
time, when granted.....	5345	corporate stock of, represented by	
transfers, restraining, pending insolv-		guardian.....	2872
ency proceedings	6012	county cares for, when.....	1521
undertaking fixed by court.....	5347	cruelty to, penalty.....	1524
writ of, abolished.....	5343	defendant in criminal actions, acquitted	
		for insanity, how disposed of..	6817, 8255
INJURIOUS ACTS.		inquisition of insanity after judgment	
misdemeanors, when.....	7670	of death.....	8310, 8311
		return, duty of sheriff.....	8312, 8313
INJURY.		question of insanity, how tried..	8400, 8401
animals, exemplary damages for.....	5004	disposition of, when hospital full.....	1520
contract for exemption from liability		guardian, petition for appointment....	6549
for, void.....	3921	habeas corpus, entitled to	1529
joinder of actions for	5291	hospital for, (See <i>Hospital for the In-</i>	
limitations of actions for.....	5201	sane.)	984-1008
obligation to abstain from.....	3940	investigation of, how conducted	1518
personal property, damages for.....	5000	patient, how sent to hospital.....	1519
protection, right of, from.....	2713	postal rights, duty of superintendent	
right to use force to defend from.....	2719	of hospital	1534
timber, wrongful, damages.....	5008	secured how	1533
willful, to person or property, cause for		violation of, penalty	1535
arrest	5304	questions before admission to hospital	1526
		restoration, commission to determine..	1528
INNKEEPER.		examination for, how often.....	1528
accomodation, obtaining fraudulently		proceedings to declare	1527
from	7674	restrained of liberty, how	1523
exempted from liability how	4030	terms defined, idiot	1532
fire escapes, to provide, when.....	1717	insane	1532
liability of.....	4029	transferred under county care, when..	1525
lien	4841		
property unclaimed, etc., sale of	4197		
		INSOLVENCY.	
INQUESTS.		adjudication of, made when	6019
(See <i>Coroner, 2008-2027.</i>)		service on debtor	6021
		affidavit to petition and schedule	6006
INSANE.		answer, contain, what to	6016
abusing	7675	time for.....	6016
acts of, not punishable, when.....	8398	appeals	6092
admission to hospital, questions asked	1526	appraisal of debtor's property.....	6044
application for admission to hospital		assignee, accounts	6068
made how	1517	accounts for property at appraise-	
commissioners, appointment.....	1513	ment.....	6045
books kept by.....	1515	actions, assigned claims no defense,	
care for, when	1522	when	6042
chairman, duties	1515	authority as to	6039
fees, how paid	1530	death does not abate.....	6039
meetings	1514	arbitrate controversies, may.....	6051
neglect of duty, penalty.....	1531	choosing before time fixed	6025
notices of, how served	1515	compensation, disbursements	6050
oath	1514	convert estate into money, to.....	6047
organization	1514	court appoints, election failing.....	6028

INDEX.

<i>Section.</i>	<i>Section.</i>
INSOLVENCY.—Continued.	INSOLVENCY.—Continued.
assignee, deposit money, to..... 6048	debts, contingent..... 6054
discharge, application for..... 6076	due at stated periods, falling..... 6057
election, time, mode..... 6028	proof after liability absolute..... 6055
inventory made by..... 6044	provable, what..... 6053-6058
investments, to make, when..... 6049	sale if not easily collectible..... 6073
keep property distinct from his, to.. 6048	secured..... 6060
notice of appointment..... 6043	set-off of mutual, when..... 6059
notice of election, form..... 6023	surety, claim of..... 6056
service..... 6024	defense, assigned claims, when not... 6042
time for..... 6023	deemed fraudulent, when..... 7529
qualifications..... 6029	discharge, certificate, form of..... 6084
redeem and offer performance, may.. 6038	debtor may have..... 6001
removal, grounds for..... 6031, 6032	debtor once insolvent, of..... 6088
undertaking, for not giving..... 6030	granted when..... 6084
resignation..... 6033	granted, when not..... 6081
release, from what not..... 6035	invalid, causes rendering..... 6081
transfers, power to make..... 6047	notice of application..... 6080
undertaking of, conditions..... 6030	oath of debtor required..... 6083
vacancy, court fills..... 6028	opposed how..... 6082
filled how..... 6034	persons jointly liable not released... 6087
assignment executed by clerk..... 6038	pleaded how..... 6085
pass by, what does not..... 6037	preference, ground of refusing..... 6089
record..... 6036	release from what..... 6085
vests what in assignee..... 6036	release, not from what..... 6086
attachments dissolved when..... 6036	time for application..... 6079
claims, allowance, notice of..... 6065	dividends, final..... 6076
appeals, how taken and heard..... 6067	first..... 6068
rejection, from..... 6066	prior, not disturbed..... 6075
contingent..... 6054	reservation for distant creditors..... 6071
preferred, barred when..... 6061	second..... 6072
order of priority..... 6070	final when..... 6074
paid when..... 6069	embezzlement, action by assignee for.. 6040
proof of contingent, after liability	remedies to recover property..... 6041
absolute..... 6055	exemptions, allowed, use of..... 6037
creditors, attorney, may act by..... 6027	schedule to contain..... 6005
meetings, conduct of..... 6026	selection of..... 6046
special, to elect assignee..... 6030	fraud in, misdemeanor..... 7514
vote for assignee, who may..... 6029	insurance on life exempt..... 6037
debtor adjudged insolvent when..... 6019	inventory, assignee, of..... 6044
affidavit to petition..... 6006	filing, notice to debtor..... 6044
arrest of, when..... 6013	injunction, for what..... 6012
authorized to petition when..... 6004	issues, trial may be adjourned..... 6017
contempt, what is..... 6078	trial without jury, when..... 6016
duties..... 6077	tried when..... 6016
enjoined when..... 6012	judgments, lien of, lost when..... 6090
examination of..... 6064	jury obtained how..... 6017
insurances on life..... 6037	new trials, grounds of..... 6091
jury trial, demand for..... 6016	limited to grounds specified..... 6091
petition by..... 6004	notice to creditors, when..... 6007
served on, what..... 6014	notice of insolvency, form..... 6022
undertaking for appearance..... 6013	service..... 6024
debts, allowance by assignee..... 6065	time, when given..... 6022
allowance, notice of..... 6065	

INDEX.

	<i>Section.</i>		<i>Section.</i>
INSOLVENCY.—Continued.		INSURANCE.—In General.—Continued.	
order, schedule, to file.....	6020	concealment, rescission on account of	4465
show cause, for debtor to	6012	fraudulent, for	4472
service	6014	defined	4441
partnership , assignee by whom chosen	6094	disclosures , communication of what re-	
discharge, rule governing	6095	quired from each	4466
petition, proceedings	6083	communication of what required on	
property, how applied	6094	inquiry	4467
payments by debtor, void when.....	6090	interest of insured, made on inquiry	4471
petition , amendment of creditor's.....	6010	judgment, matters of, not required..	4473
creditors, by	6010	materiality, how determined	4468
filing, effect of, adjudication on....	6004	waived how	4470
service of, how made	6014	double , contribution of insurers in	4532
voluntary by debtor, contents.....	6004	defined	4531
preference bars claim when	6061	incumbrance does not avoid insurance	
discharge made void by	6089	when	4460
void, what	6089	insured defined	4445
proceedings adjourned when	6014	knowledge of what presumed	4469
commencement of, what deemed	6002	persons who may be	4447
continued by another creditor.....	6015	insurer defined	4445
dismissed when	6018	knowledge of what presumed	4469
involuntary, authorized when.....	6009	persons capable of being	4446
matters of record, deemed	6003	insurable interest , carrier has.....	4452
memorandum of, kept by clerk	6003	change after loss, no effect.....	4458
record at length not required.....	6003	death, by, does not avoid.....	4461
voluntary, authorized when.....	6004	incumbrance of one, by, others un-	
perishable property in dispute, sale....	6052	affected	4460
property , remedies for recovering.....	6041	joint owners, among, does not	
seized when, grounds for	6013	avoid	4462
proof of claims , examination of wit-		one, in, others unaffected.....	4459
nesses	6063	reinsurance of one, by, others un-	
oath of claimant, form	6062	affected	4460
redemption by assignee	6038	suspends insurance when	4457
reservation for distant creditors.....	6071	classified	4451
sales , debts not easily collectible.....	6073	contingent interest, is not.....	4453
schedule , amendment of.....	6008, 6020	contract void, if none.....	4455
contents	6005	defined	4450
prepared by other than debtor when	6020	depository has	4452
security given by debtor void when ...	6090	exist, must, when	4456
set-off of debts	6059	expectant interest is not.....	4453
undertaking , assignee, of, prosecution	6030	measure of.....	4454
creditors, by	6011	stipulation of, void	4463
INSTRUMENTS.		loss , liability extends to loss in rescu-	
cancellation of, adjudged when ...	5041, 5042	ing	4522
larceny of	7453-7455	liability for, other perils included	
offering for record, false.....	6961	when	4521
sealed and unsealed, no distinction..	3892	liability, none for peril excepted....	4523
INSURANCE.		negligence of insured no exoneration	4524
In General.		willful act causing, exonerates	4524
classes	4443	lottery tickets , advertising.....	7227
all subject to chapter.....	4444	insuring, misdemeanor.....	7226
concealment defined	4464	modification of contract, laws appli-	
		cable	4486

INDEX.

	<i>Section.</i>
INSURANCE.—In General.—Continued.	
mortgagor, acts of, avoid insurance as to mortgagee, when.....	4448
acts of, cannot affect, when.....	4449
deemed on his interest, when.....	4448
notice of loss, blanks to be furnished by insurer.....	4529
certificate of another, substitute for defects in, waived how.....	4527
delay, unnecessary in, exonerates ..	4525
waived how	4528
requisites of.....	4526
time in which to make.....	4529
waived how	4529
premium defined	4515
payable when	4513
return on cancellation	4501
contribution to	4519, 4520
insurance, voidable.....	4516
insured entitled to, when	4514
liability, none incurred.....	4516
made, when not.....	4517
over insurance, in.....	4518
policy, agreement in, not to transfer, void when.....	4500
applied only to interest of person insured	4489
benefit of another, for, how indicated	4490
benefit claimed by whom, description general	4492
benefit of whomsoever.....	4493
cancellation, surrender for.....	4501
classes of	4495
contents, specifications of.....	4488
defined	4487
forfeiture, none for breach of immaterial provisions	4511
notice required, contents.....	4502
joint interest, terms necessary to make applicable to	4491
open, defined.....	4496
provisions avoiding, must specify....	4511
receipt for premium in, effect..	4499
running, defined.....	4498
suspended by transfer of thing insured	4494
transfer not effected by transfer of thing insured	4494
valued, defined.....	4497
proof, presenting false	7499
property, insured, destroying	7498
reinsurance, contract of indemnity, is contract unaffected by, when.....	4535
defined.....	4533

	<i>Section.</i>
INSURANCE.—In General.—Continued.	
reinsurance, disclosures required.....	4534
insured, original, no interest in.....	4536
representation, altered, may be, when false, deemed, when	4479
information and belief, on	4482
interpretation, rules of	4481
material, deemed not, when.....	4476
materiality, how determined	4485
oral or written.....	4484
promise, deemed, when	4474
qualify, cannot, implied warranty... provision of contract, may	4477
refers to what time	4478
rescission for false.....	4480
time when may be made.....	4483
withdrawn, may be, when	4475
rescission, concealment, for fraudulent concealment, ground for.....	4472
representation, false, for.....	4465
time of exercising right.....	4483
warranty, for breach of	4486
subjects of, what are.....	4510
warranties, breach without fraud, effect	4442
classified.....	4512
express, must be in writing	4503
form, no particular	4505
future, as to, performance unnecessary when.....	4504
rescission for breach... ..	4509
statements of facts are express, when	4510
statements of intention are, when...	4507
time to which relate.....	4508
	4506
Fire.	
alteration in use not increasing risk...	4605
increasing risk does not avoid, when ..	4606
measure of indemnity.....	4607
rescission for increasing risk by alteration in use	4604
standard policy authorized	4608
construction of.....	4609
provisions it may contain	4608
Life.	
insurable interest	4611
measure of indemnity.....	4614
payable when	4610
policy transferable	4612
transfer, notice unnecessary	4613
Marine.	
abandonment, absolute, must be	4578
acceptance, conclusive.....	4588

INDEX.

	Section.
INSURANCE. - Marine.—Continued.	
abandonment, acceptance, irrevocable	
when.....	4589
acceptance unnecessary.....	4587
agents of insured, insurer's when...	4586
authorized when.....	4577
defined.....	4576
freightage, whose.....	4590
ineffectual, becomes, when.....	4580
liability on refusal to accept.....	4591
notice, made by.....	4581
requisites.....	4582
omitted, rights of insured.....	4592
salvage, insurer entitled to.....	4585
sustained only on cause specified....	4583
time of making.....	4579
transfer, equivalent to.....	4584
concealments not vitiating whole contract.....	4548
contribution to general average, insurer liable.....	4601
subrogation of insurer.....	4602
defined.....	4537
deviation defined.....	4561
improper when.....	4563
insurer not liable after.....	4564
proper when.....	4562
disclosures, belief of another material requirements as to.....	4545
insurable interest, charterer of ship has freightage defined.....	4540
expected, is.....	4541, 4542
hypothecation reduces.....	4539
owner of ship always has.....	4538
profits.....	4543
loss, actual, presumed when.....	4570
actual total, covers what.....	4575
defined.....	4568
paid when.....	4573
classes defined.....	4566
classified.....	4565
constructive total, defined.....	4569
general average only, insurer liable for, when.....	4574
knowledge of, presumed when.....	4547
master's duty to procure another ship.....	4571
reshipment, cost of.....	4572
total, classified.....	4567
measure of indemnity, cargo, partial loss.....	4599
contribution to general average.....	4601
open policy.....	4598
partial loss.....	4594
profits.....	4595

	Section.
INSURANCE.— Marine.—Continued.	
measure of indemnity, profits, loss of, presumed when.....	4597
repairs and expense of recovery.....	4600
ship, partial loss.....	4603
valuation in policy conclusive.....	4593
valued policy.....	4596
repairing, delay in, exonerates when..	4556
representations, falsity, eventual, effect of.....	4550
rescission for false.....	4549
seaworthiness, (See <i>Warranties, this title.</i>).....	4551-4557
voyage, course, if fixed by usage.....	4559
usage, if not fixed by.....	4560
warranties implied, neutral papers, as to.....	4558
seaworthy as to cargo.....	4557
seaworthiness, as to, complied with, when.....	4553
defined.....	4552
includes what.....	4554
ship, of.....	4551
voyage, as to each part of.....	4555
INSURRECTION.	
process, resisting during.....	6983
INTEMPERANCE, HABITUAL.	
divorce, is ground for.....	2737, 2742
INTENT.	
assault with, to commit felony.....	7127
defraud, to, sufficient when.....	7732
intoxication, effect of on.....	6815
INTEREST.	
acceptance of principal waives, when	4976
bottomry loans, in.....	4775
compound, defined.....	5136
defined.....	4061
legacies bear, after due.....	3731
presumed from loan of money.....	4060
rate deemed annual when.....	4062
highest permitted.....	4064
judgments, on.....	4067
taxes, for.....	1282
legal, if not specified.....	4063
same before and after breach.....	4068
taken in advance for how long.....	4065
taxes, delinquent.....	1238, 1264
INTERPLEADER.	
generally.....	5240

INDEX.

	<i>Section.</i>		<i>Section.</i>
INTERPRETERS.		INTOXICATING LIQUORS.—Continued.	
authorized when, oath	5706	druggist's permits granted when	7594
fees	2101	hearing, examination of witnesses	7594
INTERVENTION.		notice of, publication	7594
authorized, effected how	5239	issued by county judge	7594
INTIMIDATION.		life of	7594, 7599
employers, etc., of	7661	petition, contents	7594
laborers, etc., of	7660	signatures required	7594
INTOXICATING LIQUORS.		record	7594
abatement, order of, relief from	7605	sale unlawful without	7594
action to abate nuisance	7605	druggist's sales, affidavit, medical uses	7596
affidavits, blanks furnished druggists	7596	affidavit, medical uses, other than	7596
druggist's sales, for	7596	required	7596
false, perjury, penalty	7596	sale, but one on each	7596
filed with county judge	7596	authorized for what purposes	7596
filing, payment made on	7596	election day, selling on	6897
return by druggist	7596	evasions deemed unlawful selling ...	7609
attorney's fees	7603, 7605	evidence, finding of liquor	7614
attorney general, assistants, appointment	7604	finding, prima facie, of nuisance	7605
assistants, fees of	7604	form of	7605
duty	7604	reputation, general, admissible	7614
bonds, actions upon	7619	requisite, what is not	7614
forfeiture of	7619	stamp or receipt, government	7614
buildings closed for a year when	7605	expenses, itemized statement to be filed	7604
release on bond	7605	warrants, state's attorney may draw for	7604
carriers knowingly delivering, penalty	7618	finer, lien on what	7610
constable, duty as to illegal sale	7600	forfeiture of liquors, etc.	7601
contempt, pleadings	7605	grand jury, charge to	7615
trial, summary	7605	importing for sale, misdemeanor	7593
contracts for, void when	7621	Indian, giving to, misdemeanor	7622
costs, county pays, when	7603	information, requisites of	7601
prosecution failing, on	7603	verification	7601
taxed against defendant	7603	injunction, place of sale, against	7605
taxed how	7605	relief against	7605
county treasurer's account	7604	intoxication, action against persons causing	7607
courthouse, sales in, misdemeanor	7021	action for injuries from	7606
court's charge to grand jury	7615	liability for causing	7606
defined	7598	public place, in, penalty	7623
destroyed when	7605	jail, selling in	7021
druggists, affidavit as to purchases	7596	judgment entered speedily	7613
salesbook, keep	7596	order to destroy property	7601
violation of law, penalty	7597	justice may examine witnesses as to violation	7601
druggist's permits, appeals from county judge	7594	lien, enforceable by civil action when fines and costs, for	7610
appeals, procedure	7594	manufacture, misdemeanor	7593
bond required	7594	mayor, duty as to illegal sale	7600
cancellation	7594	minor, treating	7617
certificate to continue in force	7599	nuisance, abatement of, mode	7605
expiration by removal of signers	7599	penalty for keeping	7605
fee for	7594		

INDEX.

	<i>Section.</i>
INTOXICATING LIQUORS.—Continued.	
nuisance, place of illegal sale is.....	7605
oaths, who may administer.....	7596
officers, duty on knowledge of violation	7600
fees for services.....	7603
pauper, selling to, penalty.....	7624
penalties, affidavits, perjury in.....	7596
carrier delivering.....	7618
club room, keeping to distribute....	7608
county auditor, neglect of duty....	7620
county judge, neglect of duty.....	7620
druggist, illegal sale... ..	7597
neglect of duty.....	7597
first offense.....	7593
importing for sale.....	7593
manufacturing.....	7593
minor, treating.....	7617
nuisance, keeping.....	7605
officers, neglect of duty.....	7600
physician illegally prescribing.....	7595
recoveries, where paid.....	7604
second and succeeding offenses.....	7593
selling.....	7593
state's attorney, neglect of duty....	7620
physicians, penalty for illegally pre-	
scribing.....	7595
prescribe, may, when.....	7595
pleading, mode of.....	7605
requisite, what is not.....	7614
second offense.....	7614
police officer, duty as to illegal sales..	7600
property, destruction of.....	7605
prosecutions, assistants, attorney gen-	
eral may appoint.....	7604
attorney general conducts, when....	7604
funds for.....	7604
state's attorney conducts.....	7604
sales, record of daily, to be kept.....	7596
search warrant.....	7605
state's attorney, assistants furnished	
by citizens.....	7612
examination as to violations, pro-	
cedure.....	7601
informations, files.....	7601
inquiry into violations.....	7601
neglect of duty, penalty.....	7604
oaths, may administer.....	7601
subpœna, may issue.....	7601
witnesses, may subpœna and exam-	
ine.....	7601
trial, how conducted.....	7602
vessel, selling on, Sunday.....	7625
warrant for arrest and seizure....	7601, 7602

	<i>Section.</i>
INTOXICATING LIQUORS.—Continued.	
witnesses, attachment by state's at-	
torney.....	7601
examination by justice.....	7601
state's attorney, by.....	7601
fees.....	7603
statement of, filed by state's attorney	7601
INTOXICATION.	
crime, effect on intent.....	6815
engineer, conductor, etc., guilty of....	7320
murder, not defense when.....	7062
physician, of, causing death.....	7092
public place, in.....	7623
IRRIGATING DITCH.	
diverting water from, unlawful,	
penalty.....	7554, 7555
IRRIGATION.	
township, (See <i>Township</i>).....	2665-2667
ISLANDS.	
formed by new channel, who owns....	3497
state owns, when.....	3495
stream unnavigable, in, who owns....	3496
ISSUES.	
arise how.....	5415
classified.....	5415
fact, classified, arise how.....	5417
tried by jury when.....	5420
tried how.....	5421
tried when.....	5421
tried out of term time when.....	5176
tried in term time where.....	5176
fact and law, arise when.....	5418
trial, order of.....	5418
feigned, abolished.....	5183
law, arise how.....	5416
judgment for defendant on.....	5454
plaintiff, for, on.....	5454
tried when.....	5421
tried out of county when.....	5421
tried by whom.....	5420
stated, must be.....	5183
JAILS.	
bible to be furnished each inmate....	8619
charges for keeping prisoners....	2082, 8641
commitment, indorsed, filed where....	8643
sheriff's authority.....	8642
when there is no jail.....	8613
constructed how.....	8621
convicts, annoyance, penalty for.....	8628

INDEX.

	<i>Section.</i>		<i>Section.</i>
JAILS.—Continued.		JAILS.—Continued.	
convicts, annoyance, protected from...	8628	sheriff, United States, prisoners, to hold.....	8635
day's labor, to be credited for.....	8626	visits monthly.....	8609
disorderly conduct, punishment for	8629	JEOPARDY.	
fire, removal in case of.....	8633	plea of former, not allowed when.....	8199
punished for what, may be.....	8625	sustained when.....	8108
sent to another county when.....	8645	person not to be put in, twice.....	7750
treatment, cruel, penalty for.....	8627	JETTISON.	
county commissioners, duty of.....	8607	begins with what.....	4215
inspectors of.....	8614	deck stowage entitled to contribution when.....	4220
escape, capital offense, punishment...	8632	defined.....	4214
punishment for.....	8631	loss, adjustment.....	4218
established in every county.....	8638	borne how.....	4217
prison for county, as.....	8612	ordered by shipmaster only.....	4216
fugitives kept in any county jail.....	8646	rules, foregoing, applicable to what....	4221
grand jury inspect.....	8639	values, how estimated for general average.....	4219
visit and report.....	8606	JUDGMENTS.	
hard labor, court may sentence to.....	8623	Civil Actions.	
intoxicating liquors, penalty for furnishing prisoners.....	8616, 8617	actions on claims before due.....	5353
penalty, when sheriff furnishes.....	8616	domestic, on, leave of court, when..	5182
prisoners not allowed.....	8615	affirmed on appeal by nonresident intestate when.....	5236
selling in, misdemeanor, when.....	7021	annulling marriage conclusive against whom.....	2735
imprisonment at hard labor, sheriff to superintend.....	8622	annulment of corporation.....	5779
duty of sheriff.....	8622	answer, setting up counterclaim, on...	5278
indigent person held for fine and costs, released how.....	8634	assignments entered in other counties how.....	5496
jailer may punish convict when.....	8625	entry in judgment book.....	5496
neglect of duty.....	8611	attached property, satisfaction out of..	5378
jail register, contents of.....	8603	award of arbitrators, on.....	5990-5992
jurisdiction of action for escaping from juvenile convicts kept how.....	8647	cancellation and discharge, counties, in other.....	5497
labor of prisoners, city marshal superintends, when.....	8624	execution returned, by.....	5497
report, disposition of.....	8604	partial.....	5497
rules and regulations, distribution of..	8599	satisfaction, by.....	5497
judges may amend.....	8601	claim and delivery, in.....	5484
prescribe.....	8598	confession, by, authorized when.....	6130
prescribed how.....	8598	execution on.....	6132
printed, to be.....	8599	installments, due in.....	6132
subjects of.....	8598	order for judgment.....	6132
sheriff, board and necessities, provides charge of, to have.....	8608	statement, verified, contents.....	6131
duty, neglect of.....	8611	controversy without action.....	6134-6135
jail, keeps.....	8640	costs taxed in.....	5578
keeps clean.....	8618	counterclaim, on.....	5481
jailer, acts as.....	8610	county court, lien, when.....	6612
jail register, furnishes court copy....	8620	default, by, assessment of damages, when.....	5413
keeps.....	8603		
report.....	8604		
rules, to post.....	8600		
United States court, report to.....	8637		
liable for expenses of its prisoners	8636		

INDEX.

	<i>Section.</i>
JUDGMENTS.—Civil Actions.— <i>Continued.</i>	
default, by, examination, if service by publication.....	5413
failure to answer amended complaint, on.....	5270
given anywhere in state.....	5177
issue of law, upon.....	5454
mode of taking.....	5413
notice to defendant, when.....	5413
necessary on amending complaint, when.....	5270
security, if service by publication, when.....	5413
defendants jointly and severally liable, all served.....	5261
jointly liable, all not served.....	5261
partners, some omitted in action.....	5261
severally liable, all not served.....	5261
defense permitted after, when.....	5260
defined.....	5412
dismissal of complaint, of, when.....	5481
divorce, effect of, on parties.....	2736
docketing, justice's.....	5498
mode of.....	5495
mode of after county organized.....	5490
county, in.....	5490
county, in other.....	5490
county, in unorganized.....	5490
United States courts, of.....	5492
entered according to decision.....	5451
entry, mode of and where.....	5488
notice of, served when.....	5480
order of court, on, by clerk.....	5479
foreclosure of lien on personal property	5901
mortgages on real property.....	5866, 5868
for forfeiture and eviction in waste, to whom only.....	5922
interest on, rate.....	4067
issue of law, for defendant.....	5454
plaintiff, for.....	5454
judgment roll, certiorari.....	6109
contents of.....	5489
filing, when corporation annulled.....	5783
judgment book.....	5487
justice's, docketing.....	5498
docketing in other counties.....	5498
lien of, after docketing.....	5498
lien, insolvency proceedings, effect on real property, on, when.....	6090
suspended, when and how.....	5490
United States courts, of.....	5493
municipal court, lien, when.....	2241
nuisance, action to abate.....	5920

	<i>Section.</i>
JUDGMENTS.—Civil Actions.— <i>Continued.</i>	
offer of.....	5639-5642
parties, deceased, against, payable how	5483
defendants, for or against one or more.....	5481
dying after verdict.....	5483
married women, for or against.....	5481
plaintiffs, for or against one or more	5481
payment of money, how enforced.....	5501
penalties and forfeitures, in actions for	5790
performance of other acts, for, how enforced.....	5501
pleadings, frivolous, on.....	5414
power of supreme court as to, on appeal.....	5628
principal and surety, against.....	5554
proceedings after, against joint debtors, etc., (See <i>Proceedings After Judgment.</i>).....	5633-5638
property, for delivery of, how enforced	5501
quiet title, in action to.....	5913
plaintiff's right terminated.....	5909
quo warranto, against usurping officer.....	5746, 5751
real property, delivery of possession... sale of, for, how enforced.....	5485 5501
record, entitled to.....	3563
relief from, court may grant, when...	5298
relief granted limited to demand when	5482
report of referees, on.....	5460
reversed, restitution when.....	5553
revival by successor in interest when..	5235
sale of realty, direction as to possession.....	5485
satisfaction of, out of attached property.....	5378
setting off mutual.....	5499
special proceedings, in, defined.....	6097
successor in interest may revive and enforce when.....	5235
support of married women, in action for.....	5924
surety for costs, against.....	5602
taxes, for, interest on.....	1282
transfer of title by, when.....	5486
transcripts of, entries to be made on filing.....	5491
United States courts, docketing.....	5492
docketing not necessary to lien, when	5494
lien of, when docketed.....	5493
vacation, because made by outside judge contrary to law.....	5180

INDEX.

	<i>Section.</i>		<i>Section.</i>
JUDGMENTS.—Continued.		JURISDICTION.—Continued.	
Criminal Actions.		local, crime, accessories	7867
appeals, affirmed, must be enforced ...	8353	crime, child, taking away	7864
reversed, procedure.....	8352	commenced without, consummated	
superseded by, when.....	8335	within state.....	7858
arrest of, motion in, causes for	8275	committed on board vessel.....	7863
motion in, defined.....	8275	committed in different counties...	7861
prosecution, further after.....	8277	committed near county boundary	7862
without motion, when.....	8276	confining another.....	7864
corporation, against, entered how	8421	female, inveigling away.....	7864
fine, for.....	8421	kidnaping.....	7864
death, of, certificate of execution	8323	property stolen in one and taken to	
defendant kept where.....	8320	another county.....	7965
insane, becoming after.....	8309	duels.....	7859, 7860
evidence sent governor.....	8306	escapes from jail.....	7871
execution, mode.....	8319	penitentiary, from.....	7870
officer, by what.....	8301	homicide in one county, death in	
persons present at.....	8322	another.....	7873
place.....	8321	principal not present.....	7874
time.....	8305, 8318	stolen property, bringing into state..	7872
unexecuted, duty of court.....	8317, 8318	treason, act out of state.....	7866
warrant, judge issues.....	8305	state, of, over lands of United States ..	2
return of.....	8324	supreme court	5165
defendant, officer must produce	8281	JURORS.	
presence required.....	8280	appearance mandatory	455
demurrer, on, entered where	8094	apportionment, based on assessor's lists	444
sustaining, final when.....	8095	names for, how selected.....	444
docketing	8296	notice of, contents.....	446
entry in minutes	8297	municipal officers, to.....	446
fine and costs, enforcement of	8295, 8296	bribes, receiving, punishment	6937
imprisonment, how executed	8301	drawing fraudulently	6942
penitentiary, in, how executed	8302	drawing names, manner of	450, 451
inquisition of insanity after	8310, 8311	failure or refusal to appear, penalty ...	459
pronouncing, time appointed for	8278	fees	2096
time specified.....	8279	gifts, accepting, misdemeanor	6939
record, what constitutes	8269, 8297	intimidate, attempts to	6999
rendered when	8289	lists of names furnished clerk of dis-	
successive terms of imprisonment	8294	trict court.....	448
supreme court, in	8348	kept at maximum.....	453
verdict, informal, procedure	8250	negligence of municipal officers does	
		not invalidate.....	448
		proceedings to keep full.....	453
JUDICIAL SUBDIVISION.		misconduct of, what is	6938
construed	8511	officer in charge of.....	6943
JURISDICTION.		notice of meeting to select to attorneys,	
action, of, when deemed acquired	5264	etc.....	449
county courts, in criminal actions	7758	panel completed by summoning others	456
county judges, as committing magis-		special, court may complete.....	457
trates.....	7758	penalty for neglect or failure of officers	
district court, in criminal actions	7753	selecting.....	459
justice of the peace, criminal actions, in	7758	persons not compelled to serve ...	441, 1420
opium nuisance, for keeping.....	7628	petit, names drawn last	451
speculation in office.....	7633	qualifications	441
local, challenges and fights	7875		

INDEX.

	<i>Section.</i>		<i>Section.</i>
JURORS.—Continued.		JURY.—Grand.—Continued.	
qualified persons to serve in rotation ..	458	prisons, access to	8019
record of those selected to be made....	447	privileges of	8020
selection of, how made.....	447, 449	records, access to	8019
venire for, how served.....	454	retirement of	8007
JURY.		secrecy maintained, disclosure of	
General Provisions.		proceedings	8021-8023
county court, selected how	6594	special, what is and its powers.....	8002
justices' courts, in, (See <i>Courts, Jus-</i>		summoned, how, number of.....	443
<i>tices</i> .)		order of judge, only on.....	7989
order for, what to specify.....	442	witnesses, subpoena for issued by	
sheriff's, on execution	5515	whom.....	8360
summoned only on order of court	442	Trial, Civil Actions.	
venire, special, when list insufficient ..	445	admonitions to	5435
Grand.		challenges, cause, for, grounds.....	5428
challenges, allowed, effect of.....	7998	classified	5427
allowed, jury discharged.....	7994	number allowed each side.....	5427
juror acting, punishment.....	7999	taken by either party	5427
others summoned how	7991	trial of.....	5429
decision on, entered in minutes	7997	damages, exemplary, may give when..	4977
individual jurors, causes for	7995	deliberations	5437
oral or written, may be	7996	discharged by final adjournment.....	5441
panel, to, allowed, another summoned		find amount of recovery when.....	5446
when	8001	instructions, further.....	5438
causes for.....	7993	generally	5432, 5433
persons entitled to.....	7990	interest allowed in discretion, when....	4975
time of interposing	8000	juror, sick, discharged.....	5439
charge of court, requisites	8006	names deposited in trial jury box.....	5425
clerk, appointment and duties	8008	drawn by clerk	5426
defined	7988	oath to, form.....	5430
discharged when	8009	papers, what may take	5436
evidence, accused, of, heard when.....	8015	polling, how done	5442
receivable by.....	8013, 8014	view by, when.....	5434
formation of.....	7988	waived how.....	5449
foreman, appointed by court	8003	Trials, Criminal Actions.	
oath to, form.....	8004	admonition to, when.....	8212
oaths, may administer to witnesses..	8012	ballots, disposition of, when completed	8132
indictment, found by, when.....	8016	prepared by clerk	8129
twelve jurors may find.....	7992	challenges, allowed, jury discharged,	
inquiries concerning what made by....	8018	when	8153
jails, must examine.....	8639	bias, implied, exception to	8167
influence, attempts to.....	6941	grounds of	8164
jurors, acting after challenge allowed..	7016	taken how	8166
evidence, must give, when	8017	trial, juror a witness.....	8169
indictment, disclosing	7030	trial, witnesses	8170
presentment, disclosing.....	7030	tried how	8168
proceedings of jury, disclosing.....	7031	bias of officer drawing	8152
questioned, cannot be, when.....	8023	cause, for, classes of.....	8161
names first drawn compose	451	general, grounds of.....	8162
oath to, form.....	8005	order of.....	8173
officers, causes for accusations against	7824	particular, grounds of	8163
ordered when	7989	taken by either party.....	8160
powers and duties.....	8010		

INDEX.

	<i>Section.</i>		<i>Section.</i>
JURY.—Trials, Criminal Actions.—Continued.		JURY.—Trials, Criminal Actions.—Continued.	
challenges classified	8142	refreshments	8218
court must allow or disallow	8171	return into court	8232
defendants cannot sever in	8143	room provided for	8222
exemption of juror is not cause for	8165	separation allowed when	8211
individual juror, to	8154	talesmen, when and how summoned	8139
classified	8155	trial, formed how	8128
taken when	8156	twenty-four not appearing	8135
order of taking	8172	verdict, cause retried after, when	8228
panel, to, causes for	8146	reconsidered when	8248
defined	8145	view by, procedure	8209
taken when	8147		
peremptory, number allowed defendant	8158	JUSTICE OF THE PEACE.	
number allowed state	8159	acknowledgments, may take	3574
taken how	8157, 8174	bond	343
trial, facts controverted, excepted to	8148	blanks, to provide, at expense of county	308
facts denied	8149, 8150	coroner, may act as, when	2021
officer examined	8151	costs, must require security for, when	6636
charge, acquittal may be advised	8208	county, elected in all counties	1890
court's duty in	8217	demand, may receive in payment, when	7012
generally	8176, 8177	demand in suit, buying	7009
custody, officers who have	8211	loaning on, penalty	7010, 7011
trial, during, procedure	8211	depositions, may take	5673
conviction, former, find on charge of, when	8243	disqualified when	6652
degree of crime, find any, when	8244	docket, conciliation, agreement in, entered	6796
find, when	8242	entries in	6627
disagreement, discharged on, when	8227	index to	6629
further instructions	8225	duty, refusal to perform, misdemeanor	7363, 7368
discharged by adjournment of court	8229	estrays, powers and duties	1580
drawing, manner of	8131	fees, advance, may require in	2104
facts, find	8183	bill of, to keep posted, penalty	2105
food and lodging provided, how	8223	estrays	2100
formation of	8128	generally	2092
jurors, absent, name returned to box when	8134	finances paid, duties as to	6770
affirm, may, when	8140	marriages, may solemnize	2724
discharged, name returned to box	8133	moneys collected, to receive	6733
sick, procedure	8226	neglect or refusal to pay over	6793
becoming, procedure	8213	pays over to county treasurer	6791
knowledge of facts, must disclose	8210	oath and bond	2566
libel, determine law and fact in	8182	oaths, may administer	460
manslaughter, fix punishment	7075	office, kept where	6620
murder, determine degree of	7072	pauper, removal of	1486
determine punishment in	7073	powers	6622
names, called when	8130	process, power to issue	6622
drawn by clerk	8137	reports, contents	6790
persons summoned to complete, of	8136	made to whom	6789
number sworn	8138	neglect to make	6793
panel defined	8144	penalty for failure to make	6792
papers taken on retirement	8224	refusal to perform duty	7368
polling, procedure	8251	subpoenas, may issue	6622
		trials by jury, decides law questions	6695

INDEX.

	<i>Section.</i>		<i>Section.</i>
JUSTICE OF THE PEACE.—Continued.		LAW.	
vacancies in township offices, duties...	2578	benefit of provisions may be waived...	4968
venue changed, duties	6750	common, divisions of	2692
vote, assists to canvass, when.....	527	evidence of.....	2693
(See <i>Court, Justices'.</i>)		excluded by codes, when.....	2694
KIDNAPING.		court decides all questions of.....	8181
defined.....	7110	defined.....	2690
LABEL.		expression of, how made	2691
fraudulent use of	7264	foreign, how proved	5690
LABOR.		ignorance of, no excuse for crime	6814
hours of, for woman or child.....	7666	practice established by civil procedure	5147
Sunday, prohibited on, when.....	6841	(See <i>Codes.</i>)	
LAND.		LAWS.	
buying, when in suit.....	7001	arrangement of, for publication.....	82
pretended titles to.....	7002	authenticated how.....	57
defined.....	3271	sale of, terms.....	79
forcible entry and detainer.....	7355	session, correction of, for publication..	77
high water mark, below, regulated how	3276	distribution, who entitled to	64-66
intrusion upon lots, unlawful... ..	7357	evidence when.....	70
law affecting primary disposal of.....	3275	number to be printed.....	52, 60
possession not necessary to mortgage..	7003	printed how.....	48
returning to, after removal.....	7356	undistributed, who custodian	71
LANDLORD.		LEASES.	
(See <i>Hiring, Real Property and Tenant.</i>)		agricultural lands, term limited.....	3310
LAND MARKS.		double, of rooms forbidden.....	4088
removing monuments, etc	7575	life, for, rent, how recovered	3369
LARCENY.		lots, city, term limited.....	3310
defined.....	7445	power to make, extinguished how	3451
degrees of.....	7447	transferable when	3450
fixtures, severed.....	7456	void, how far	3449
gas, fraudulent consumption of.....	7459	record required when	3594
grain, refusal to deliver storage receipts, is	1793	remedies for breach, lessee against as-	
grand, punishment for.....	7449	signs of lessor.....	3367
house, in	7451	lessor against assigns of lessee.....	3367
person, from, in nighttime	7452	owner of lands by transfer or devise	3366
petit, defined.....	7448	purpose, for unlawful.....	7212
punishment for.....	7450	rent dependent on life of person.....	3370
property, appropriating lost	7446	terms changed by notice.....	3368
bringing into state	7460	transfer made how	3531
buying stolen	7458	writing required when.....	3887
realty, part of.....	7456	LEGACY.	
records, public, by officers having	6959	(See <i>Estates of Decedents.</i>)	
securities not issued, value of.....	7455	LEGISLATIVE ASSEMBLY.	
stolen property, receiving.....	7458	act, compelling either house to omit... ..	6923
ticket, passenger, value of	7454	compelling either house to perform..	6923
vessel, in	7451	adjournment of, compelling	6921
wrecked goods.....	7457	appropriation for salaries, etc.....	36
written instrument, value of	7453	bills, altering draft of.....	6924
		altering engrossed copy.....	6925
		printed how.....	45
		bribery of members.....	6926-6929

INDEX.

LEGISLATIVE ASSEMBLY.—	<i>Section.</i>	LEGISLATIVE ASSEMBLY.—	<i>Section.</i>
<i>Continued.</i>		<i>Continued.</i>	
chief clerk of house, duties	33	officers, compensation	28
clerks appointed how	30	discharge	32
discharged when	31	elected how	29
number	28	oath	29
removal	35	salaries, how paid	31
salaries audited and paid how	31	terms, when expire	22
vacancies, how filled	35	vacancies, how filled	35
committees, chairman of, may administer oaths	26	organization	22
witness neglecting to attend before	6932	records, etc., custody of	33
refusing to testify before	6933	reports to, when made	73
contempts, acts which constitute	23	roll of members	21
each house punishes its own	23	secretary of senate, duties	33
contests determined by respective houses	27	senate, president pro tem., duties	89
corporations, private, examination of	2942	senator, agreements for vote	6931
grants of power, may repeal, etc	2851	senatorial districts and apportionment	37
powers reserved as to	2943	state auditor, inspection of books, etc.	102
disposal of lands, cannot pass law affecting	3275	treason, power to pardon, etc	8432
disturbance of	6920	vacancy, special election to fill	550, 551
employees, assistant, appointed how	30	witness, not attending before	6932
compensation	28	refusing to testify before	6933
discharged when	31	LEGITIMACY.	
number of	28	child of divorced parents	2751, 2752
removal	35	presumption after marriage dissolved	2777
salaries, how paid	31	born in wedlock	2776
vacancies, how filled	35	dispute, who may	2778
journals corrected how	55	LENDER.	
delivered when	53	(See <i>Loan for Use.</i>)	
distributed to whom	64, 66	LETTER.	
index	28, 34	extortion, sending threatening	7478
kept by whom	33, 55	opening and reading sealed	7583
made up how	55	private, ownership of	3484
number printed	60	sending, when complete	7691
printed how	46	LETTER OF CREDIT.	
undistributed, who custodian of	71	addressed to several, may be	4665
laws, session, number printed	60	classes of, defined	4667
meetings, preventing	6919	continuing guaranty, is, when	4670
time of	20	credit given must conform to terms	4672
members, agreements for vote	6930	credit to amount limited does not exhaust, when	4670
bribe, giving or offering to	6926	defined	4664
receiving	6927	general, authority conferred by	4668
bribery defined	6929	successive credits may be given on	4669
solicitation of, defined, punishment	6928	special, defined	4667
certificate of election	528, 529	writer liable to whom	4666
intimidating	6922	liable without notice when	4671
office forfeited when	6934	LIBEL.	
resignation before entering on duties	550	Civil.	
vacancy, district divided after	552	answer in action for	5289
oath of office, who may administer	25	complaint in action for	5288

INDEX.

	<i>Section.</i>		<i>Section.</i>
LIBEL.—Civil.—Continued.		LICENSES.—Continued.	
defined.....	2715	peddlers, state, required for selling what	1291
privileged communications.....	2117	pharmacist, acting without, penalty...	7280
Criminal.		piloting without, misdemeanor....	7299, 7300
defined.....	7146	sleeping car companies, amount of....	1751
editors and publishers guilty when....	7150	credited to general state fund.....	1754
guilty, when not.....	7151	distress and sale.....	1756
furnishing for publication.....	7155	exempt, what.....	1757
headlines constitute, when.....	7152	failure to pay, penalty.....	1755
indictment or information.....	8052	paid when.....	1752
jury determines law and fact.....	8182	statement, false, penalty for.....	1753
malice presumed, when.....	7148	sworn, to be filed.....	1753
pleadings, sufficiency of.....	8052	warehouses, public, to obtain.....	1787
privileged communications.....	7153	post conspicuously, to.....	1788
publication defined.....	7149		
misdemeanor.....	7147	LIENS.	
threatening to publish.....	7154	General Provisions.	
verdict, cannot be special.....	8233	accessory to act secured.....	4694
LIBRARY.		attorney's, attaches to what.....	4842
appropriations by municipal authority	2473	released by bond how.....	4843
directors, annual report, to make.....	2471	banker's, for balance due.....	4837
appointed how.....	2468	carrier's, dependent on possession.....	4835
duties and powers.....	2469	classified.....	4674
donations, made how and to whom....	2472	contracts subject to law of, what.....	4677
free under certain rules.....	2470	creation, modes of, enumerated.....	4678
LICENSES.		crops, future, on, limited.....	4681
express companies, amount determined		damages for trespassing animals.....	1557
how.....	1745	defined.....	4673
express company defined.....	1744	discharge of record, penalty for not	
failure to pay, penalty.....	1750	making.....	4724
issued by state auditor.....	1745	extinction, conversion by lien holders,	
list of cities and villages, to furnish	1746	by.....	4695
notice of fee required.....	1747	partial performance is not even pro	
obtained how.....	1744	tanto.....	4697
record, books of.....	1749	restoration of property is, when....	4698
state treasury, fees turned into.....	1748	running of statute on principal obli-	
ferry, obtained how.....	1167, 1168	gation is not.....	4696
running without, misdemeanor.....	7317	sale and satisfaction of claim, by....	4695
marriage, marrying without, misdemea-		same as other accessory obligations..	4694
nor.....	7273	factor's, for amount due from principal	4836
obtained how.....	2724, 2725	fees for estrays.....	1582
peddlers, county, amount of.....	1740	foreclosure authorized on default.....	4845
county, cities, etc., rights unimpaired	1743	costs and fees for.....	4845
issued by county auditor.....	1741	holder entitled to possession for....	4845
obtained how.....	1739	forfeiting property subject to, contracts	
peddling without, penalty.....	1742	for, void.....	4684
peddling without, unlawful.....	1738	future interest, agreement to create on	4680
persons from whom not required..	1738	attaches on, when.....	4680
state, amount of.....	1291	general, defined.....	4675
exhibit, failure to.....	1293	holder, compensation for expenses.....	4687
obtained from whom.....	1292	pledge property to extent of, may.....	4748
peddling without, punishment....	1293	hotel keeper's, etc.....	4841
		judgment, of.....	5490, 5493

INDEX.

	<i>Section.</i>
LIENS.—General Provisions.—Continued.	
mate's, for wages.....	4839
officer's, in attachment or execution...	4840
obligation to perform acts secured not implied	4685
operation of law, do not exist until performance due	4679
partners', on other partners' shares ...	4377
payment, order of resort for	4690
personal property, carriage, dependent on possession.....	4835
improvement, dependent on possession.....	4835
protection, for, dependent on possession.....	4835
repairs, for.....	4844
safe-keeping, dependent on possession.....	4835
poundmaster, for charges....	2654
priority according to time of creation..	4688
mortgage for price	4689
purchaser's, on realty, authorized, independent of possession.....	4834
subject to what rights.....	4832
redemption, lien holder, inferior, rights	4692
mode of making.....	4693
persons entitled to make.....	4691
right of, contracts in restraint of, void time, when made.....	4691
removing or destroying chattels subject to.....	7668
right of redemption, contracts in restraint of, void	4684
sale of decedent's realty, to be paid on subject to.....	6419
seamen's, for wages.....	4839
security, for obligations not in existence, as	4682
performance of original obligation, only for.....	4686
special, defined.....	4676
holder may compel payment of prior lien when	4676
shipmaster's, for advances.....	4838
subrogation to benefits of superior lien	4692
taxes, of.....	1239
title not transferred by.....	4683
vendor's, on personalty.....	4833
vendor's, on realty, authorized, independent of possession.....	4830
subject to what rights.....	4832
waiver of, what is	4831

	<i>Section.</i>
LIENS.—Continued.	
Farm Laborers.	
affidavit and notice, contents.....	4827
filed when and where.....	4827
authorized for what	4826
discharging, penalty for not.....	4724
foreclosure authorized when.....	4829
holder may take property when.....	4829
persons entitled to.....	4826
priority	4826
Mechanic's.	
accounts, contents.....	4791
failure to file within time, effect of..	4791
filing, time and place of.....	4791
railway liens, time of	4790
actions, deficiency judgment in, when enforced by	4796
owner may require commencement of	4797
assignments of, and claims for.....	4797
authorized for what	4788
collateral security does not impair, unless	4801
consent of owner presumed when.....	4788
contract, single, for several buildings	4780
several buildings, for, claim apportioned	4780
discharge, penalty for failure to make required, may be, when.....	4799
fee for	4796
forfeiture for failure to bring suit on demand.....	4797
lease, of, does not forfeit.....	4794
land, what subject to.....	4794
lightning rod contracts not within law	4788
owner, consent of presumed, when....	4788
defined	4798
persons entitled to	4798
priority among mechanic's liens ...	4793
liens, over other.....	4793
prior lien on land, to, when.....	4795
railway contracts, under	4790
sales, distribution of proceeds by court	4795
land and improvements separately,	
when	4795
land and improvements together,	
when	4795
subcontractor defined	4800
Miners'.	
account, contents	4809
filed where.....	4809
presented to owners	4806

INDEX.

	<i>Section.</i>		<i>Section.</i>
LIENS.—Miners'.—Continued.		LIGHTS.	
authorized for what	4805	signal, removing, etc.....	7580
concurrent among themselves.....	4809	LIGNITE COAL.	
deductions of amount due contract-		public institutions, use required in	1030
or, etc	4807	LIMITATION OF ACTIONS.	
foreclosure, parties.....	4810	absence from state, time of, excluded	
law applies to what	4812	when	5210
owner's duty when account pre-		account, action deemed to accrue on,	
sented.....	4806, 4807	when	5205
persons entitled to	4805	accrual of cause of action, account, mu-	
recovery of contractor's dues from		tual, open and current.....	5205
owner.....	4808	fraud	5201
satisfaction, entered, must be, when ..	4811	action, attempt to commence equiva-	
failure to make, penalty	4811	lent to commencement.....	5209
Seed.		attempt must be followed by what ..	5209
authorized for what	4820	commencement of, what deemed ...	5209
discharging, penalty for not	4724	tax deed, to impeach.....	1269, 1289
persons entitled to.....	4820	alien enemy.....	5213
priority of.....	4822	annulment of marriage, actions for....	2732
statement, contents	4821	answer, objection, taken only by	5184
filed when and where.....	4821	assault.....	5203
use, wrongful, of seed, misdemeanor	7669	battery	5203
For Sires.		bills of moneyed corporations.....	5218
certificate of commissioner of agricul-		claims against decedent, barred if not	
ture to be filed and posted	4817	presented	6404
discharging, penalty for not	4724	contracts, express or implied.....	5201
foreclosure, when authorized.....	4819	grants or mortgages, in.....	5200
proceedings to obtain lien	4818	constable, against.....	5202
statement of pedigree, filing of, pre-		coroner, against.....	5202
requisite	4816	covenant of warranty.....	5200
Stock, for Keeping.		criminal conversation.....	5201
authorized for what	4813	criminal action, commenced, when	
persons entitled to.....	4813	deemed	7880
possession of stock may be retained ..	4813	felony other than murder.....	7877
prior to all other liens for ten days....	4815	homicide, none.....	7876
priority, period of, extended how.....	4815	misdemeanor not specially limited...	7878
valid only when stock intrusted by		time defendant out of state, effect of	7879
owner.....	4814	death by wrongful act	5203
Threshing.		death of person entitled to action.....	5212
authorized for what	4823	liable to action	5212
discharging, penalty for not	4724	directors of certain corporations ex-	
persons entitled to	4823	cepted	5219
priority	4825	disabilities available when.....	5216
statement, contents	4824	coexisting, all must be removed....	5217
filed when and where.....	4824	time extended by, real property....	5198
real property, other than.....		real property, other than.....	5211
LIEUTENANT GOVERNOR.		divorce, actions for.....	2753, 2754
disability, who acts during.....	89	escape	5204
duties prescribed.....	87	evidences of debt of moneyed corpora-	
impeachment, (See <i>Office, Removal</i>		tions.....	5218
<i>From.</i>).....	7819	false imprisonment	5203
salary	88	forfeitures by statute, private.....	5202

INDEX.

	<i>Section.</i>		<i>Section.</i>
LIMITATION OF ACTIONS.—Continued.		LIS PENDENS.	
forfeitures by statute, state, to.....	5203	authorized when, effect of.....	5251
whomsoever will prosecute, to.....	5206	cancellation of.....	5251
fraud, cause of action for, deemed accrued when.....	5201	partition, in, contents, filing required..	5798
relief on ground of.....	5201	LIVE STOCK.	
homestead, as to conveyances.....	3609	branded, when to be.....	1563
injunction, time of stay not part of....	5215	killing by locomotive evidence of negligence.....	2978
injuries to person or rights of another joint debtor cannot make defense of, after judgment.....	5201	lawful to run at large, when.....	1549
judgments, foreign.....	5636	nonresident's range stock, where listed	1202
reversed, time extended.....	5200	range stock where and by whom listed	1201
liability created by statute.....	5214	undervaluation of, punishment for..	1204
libel.....	5201	unorganized counties, in.....	1203
malpractice.....	5203	LOAN.	
notes of moneyed corporation.....	5203	unlawful by bank directors.....	7518
objection, action not within, taken only by answer.....	5218	LOAN FOR EXCHANGE.	
penalties by statute, private.....	5184	borrower, expenses, must bear.....	4055
state, to.....	5202	defined.....	4053
personalty, taking or injuring.....	5203	increase, borrower entitled to.....	4055
promise to take case out of, in writing	5201	laws, other, governing.....	4057
real property, adverse possession defined.....	5220	terms of cannot be changed.....	4056
adverse possession, landlord and tenant.....	5191	title transferred by.....	4055
written instrument, not under 5194,	5195	LOAN OF MONEY.	
written instrument, under....	5192, 5193	defined.....	4058
disabilities extend time.....	5198	interest presumed from.....	4060
descent cast does not affect right to possession.....	5197	repayment to be in current money.....	4059
entry, valid when.....	5190	LOAN FOR USE.	
grants from state.....	5186	borrower, animals, must treat, how... 4044	
period extended when.....	5187	deteriorations from negligence, must repair.....	4046
issues or profits from state.....	5185	expenses, must bear, except what... 4049	
possession presumed from legal title	5189	great care, must use, when.....	4043
rents or services, seizin within twenty years.....	5191	injuries from negligence, must repair	4046
seizin within twenty years.....	5188	lend. must not, without consent....	4048
state, by.....	5185	return, duties as to.....	4052
trespass.....	5201	skill, degree to be exercised by....	4045
relief not otherwise provided.....	5207	use only for anticipated purposes, to	4047
sheriff, against, official acts.....	5202	defined.....	4041
slander.....	5203	increase belongs to lender.....	4042
state, actions for benefit of.....	5208	lender compensates borrower for what	4050
stockholders of certain corporations excepted.....	5219	compensates for return, when.....	4051
tax deed, action to set aside.....	1269, 1289	expenses, must bear extraordinary..	4049
time already run part of time prescribed by this code.....	5149	return, demand, on, if time not specified.....	4052
trespass upon real property.....	5201	required at any time.....	4051
war, citizens of countries at.....	5213	time specified, at, without demand..	4052
ward's estate, action to recover.....	6585	subject to laws governing loan for exchange when.....	4054
		title not transferred.....	4042

INDEX.

	<i>Section.</i>		<i>Section.</i>
LOCAL IMPROVEMENTS.		MAJORITY.	
(See <i>Cities, 2265-2326.</i>)		authority and power of.....	5140
LOGS AND LUMBER.		MALICE.	
boom secured how.....	1758	arson, inferred when.....	7389
channel of river kept clear.....	1758	defined.....	7716
lawful to boom in navigable rivers.....	1758	exemplary damages may be given in	
receiving stolen.....	7664	case of.....	4977
taking or injuring.....	7663	interest may be given in case of.....	4975
LOTS.		libel, (criminal) presumed when.....	7148
unlawful intrusion upon.....	7357	maliciously defined.....	7716
LOTTERIES.		MALICIOUS MISCHIEF.	
advertising insurance of ticket.....	7227	defined.....	7556, 7557
misdemeanor.....	7222	animals, domestic, killing, maiming...	7559
office for.....	7225	overdriving.....	7560
state, within this, by party outside..	7231	poisoning.....	7558
buying lottery tickets.....	7221	booms, interfering with.....	7576
defined.....	7217	buildings, farm, injury to.....	7589-7592
drawing, punishment for.....	7219	buoy, removing from Missouri River...	7579
insuring lottery tickets.....	7226	dam, destroying.....	7577
letting building for.....	7229	election returns, mutilating.....	7582
nuisance, deemed common.....	7218	freehold, injury to.....	7569
offering property by means of.....	7223	fruits, cultivated, etc., injury to...	7571-7573
office, keeping for.....	7224	fruit trees, etc., injuring.....	7574
property offered by, forfeited.....	7228	gas pipes, breaking.....	7588
selling tickets for.....	7220	grain, burning, etc.....	7565
state, out of.....	7230	standing, injuring.....	7571
MAGISTRATES.		hay, burning.....	7565
arrest, offense committed in presence of	7928	house of worship, injuring.....	7566
committing, who are.....	7758	landmarks, removing.....	7575
defined.....	7721, 7884, 7885	letter, opening and reading.....	7583
deposition, disclosing, misdemeanor		piers, interfering with.....	7576
when.....	7017, 7963	piles, removing or injuring.....	7578
marriage, solemnization by.....	2724	signal light, removing or making.....	7580
powers on Sunday.....	5164	telegrams, disclosing contents of.....	7584
profanity in presence of, summary con-		secreting.....	7585
viction.....	6834	timber, standing, injuring.....	7570
riots, failure to exercise authority re-		trees, injuring.....	7570
garding, misdemeanor.....	7792	water pipes, breaking.....	7588
subpœna, may issue when.....	8359	works of art, injuring.....	7586
Sunday, powers on.....	5164	works of literature, etc., destroying...	7587
MAIMING.		written instrument, injuring.....	7581
alms, to obtain.....	7103	MANDAMUS.	
animals, misdemeanor.....	7559	alternative, contain, what to.....	6112
defined.....	7101	issues when.....	6113
design to maim inferred when.....	7106	answer.....	6114
disfigurement described, limited.....	7105	appeals regulated how.....	6129
instrument used immaterial.....	7104	common carriers, to, to compel filing of	
one's self, constitutes, when.....	7102, 7103	rates.....	3033
premeditated design formed instantly..	7107	damages, assessment of.....	6115
punishment for.....	7109	recovery of.....	6120
recovery from, defense when.....	7108	default, not granted by.....	6113
riot, committed in, punishment.....	7341	disobedience, penalty.....	6122

INDEX.

	<i>Section.</i>		<i>Section.</i>
MANDAMUS.—Continued.		MARKS.	
hearing, if no answer made.....	6119	property wrecked, defacing from.....	7268
issued and heard in vacation.....	6127	logs, defacing from.....	7269
issued by and to whom.....	6110	MARKS AND BRANDS.	
issued in what cases.....	6111	certificate of, issued by whom.....	1538
jurisdiction of supreme court in.....	5165	recorded where.....	1538
jury trial, when.....	6115	description of.....	1537
new trial, motion made in court issuing	6117	furnished by whom.....	1537
regulated how.....	6129	estrays, effacing from.....	7665
notice of application.....	6113	exclusive, obtained how.....	1543
peremptory, awarded after hearing....	6120	goods lost, effacing from.....	7665
contain, what to.....	6112	obtained and recorded how.....	1537
issues when.....	6113	office for recording brands.....	1536
practice, law governing.....	6128	register of deeds, duty of.....	1539
proof, latitude of.....	6116	right to record, who has.....	1542
service of, mode.....	6121	similar, recorded, may be, when.....	1541
trial.....	6115	vented, to be, when.....	1540
verdict transmitted to court.....	6118	MARRIAGE.	
writ, kinds of.....	6112	action not abated by.....	5234
MANIFEST.		annulment, causes for.....	2731
false, making, punishment for.....	7497	judgment of, effect of.....	2735
MANSLAUGHTER.		limitation of actions for.....	2732
animal, killing by mischievous, is,		authority, performing without, valid	
when.....	7088	when.....	7275
child, unborn, killing, when.....	7085	bigamous, punishment.....	7181-7183
death within year necessary to.....	7086	ceremony, performing without author-	
defined.....	7066	ity.....	7274
degrees designated.....	7067	performing without license.....	7273
first, what constitutes.....	7079, 7081,	certificate, execution and return of....	2724
.....	7084-7086, 7094	failing to execute.....	7273
punishment for.....	7070	failure to return.....	7273
jury must find.....	7075	form of.....	2726
second, what constitutes.....	7087-7093	recorded by county judge.....	2727
punishment for.....	7071	required.....	2724
explosives, illegal keeping causing		record, neglecting.....	7272
death is.....	7083	children, custody of, after annulment..	2734
guilty, plea of, duty of court.....	7076	legitimate, if begotten before annul-	
murder, prosecution for, jury may find	7075	ment.....	2733
punishment for, jury must fix.....	7075	conditions imposing restraints on, void	3306
spring gun, causing death by, is, when	7094	consent, age of.....	2721
vessel, death from overloading is.....	7089	essential.....	2720
MANUFACTURER.		parent or guardian, of, when neces-	
defined as to taxation.....	1206	sary.....	2721
property of, listed how.....	1206	contracts in restraint of, void.....	3929
merchandise, when.....	1206	state, without, valid when.....	2729
MANUFACTURES.		damages for breach of promise.....	4896
statistics to be furnished.....	124	definition of.....	2720
MARKET.		dissolution, causes effecting, enumer-	
frauds, affecting price.....	7327	ated.....	2736
		duress, intent to compel, by.....	7164
		evidence, record or certified copies are	2730
		incestuous, defined.....	2722
		punishment.....	7185

INDEX.

	<i>Section.</i>		<i>Section.</i>
MARRIAGE.— Continued.		MASTER AND SERVANT.	
Indian, contracts of, valid ...	2728	abduction of servant forbidden.....	2718
intent to compel, by duress, force or menace	7164	discharge of servant, causes for	4129
license, ceremony, performing without	7273	injury to servant forbidden.....	2718
examination required before issuance	2725	intimidation of, misdemeanor.....	7660, 7661
form	2726	protection, force which may be used in	2719
issuance contrary to law.....	7272	relation of, in general.....	4123-4129
issued by whom	2725	seduction of servant forbidden	2718
recorded by county judge.....	2727		(See <i>Servant.</i>)
parent's authority over child ceases on	2785	MAXIMS OF JURISPRUDENCE.	
personating another falsely in.....	7485	maxims.....	5071-5105
promise in consideration of, writing necessary	3887	MAYHEM.	
prohibited between what persons.....	2722		(See <i>Maiming.</i>)
seduction, under promise of.....	7167	MAYOR.	
solemnize, license required	2724		(See <i>Cities.</i>)
persons, who may	2724	MEASURES.	
unlawful, defined	7184		(See <i>Weights and Measures.</i>)
valid, performed without authority, when	7275	MECHANIC'S LIEN.	
voidable, if former husband or wife living, when.....	2723		(See <i>Liens.</i>)
woman, will of, revoked by	3667	MEDICAL EXAMINERS.	
compelling to marry by duress, force, menace	7163		(See <i>Boards.</i>)
MARRIED WOMEN.		MEDICINE.	
acknowledgments	3578	adulteration of, misdemeanor.....	7286, 7309
action for support authorized when ...	5923	selling adulterated	7286
judgment	5924		(See <i>Physicians.</i>)
modifying or vacating	5928	MEETING.	
payments by husband, what com- pelled	5926	public, disturbance of, misdemeanor..	6874
security for	5927	disturbance of lawful, misdemeanor	7339
practice in	5925	electors, attendance, preventing	6875, 6876
receiver, when.....	5927	police to attend, when	7783
executions against	5503	religious, acts deemed disturbance of..	6853
judgments for or against.....	5481	disturbance of.....	6852
parties to actions, as	5224	MENACE.	
powers, execute, can	3421	defined	3846
execute, cannot, before majority....	3422	MERCHANT.	
power as to.....	3438	defined as to taxation.....	1205
valid, what	3441	property of, listed how and when. ...	1205
rights and capacity....	2767	MESSAGES.	
wills, may make.....	3640		(See <i>Carriers of Messages.</i>)
MARSHAL, CITY OR VILLAGE.		MILE BOARDS.	
	(See <i>Cities and Villages.</i>)	injuring or removing, misdemeanor....	7552
MARSHES.		MILITIA.	
fring, misdemeanor when....	7314	accountments, arms, clothing, to be seized when.....	1423
negligently, punishment	7315	arms, supplies, not to be sold.....	1423
MASCULINE.		officers report supplies when	1422
includes feminine and neuter.....	5133, 7730		

INDEX.

	<i>Section.</i>
MILITIA.—Continued.	
adjutant general, allowances of	1375
department	1373
duties	1374
report, contents, time for	1374
salary	1375
seal and records	1374
appeals in election cases decided how	1383
appropriation drawn how	1425
armory rent, appropriation for	1419
paid how	1419
articles of war of United States adopted when	1402
artillery battalion consists of what 1363,	1364
board, state military, compensation ...	1393
officers constituting	1392
powers and duties	1392
cavalry battalion consists of what 1365,	1366
chief of supply, bond	1378
duties	1378
commander in chief consolidates or discharges militia when	1369
governor is	1360
powers	1360
commissions issued by whom	1361
tenor of	1361
commutation or mileage, commander in chief to fix	1415
company, infantry, consists of what ...	1368
compose, who	1356
conversion of money, embezzlement when	1407
courts-martial, action against members	1410
action against members, none when ..	1411
contempt, power to punish	1405
garrison, commandant to order	1402
general, commander in chief to order members, number of	1402
officers, compensation of	1414
powers	1404
punish how	1408
warrant, to serve	1405
deserter, when	1401
disturbance, public, commander in chief, powers of	1399
drill, discipline and uniform	1390
encampment, annual, who attend	1391
muster roll, false names, penalty ...	1391
engineer and ordnance department, consists of what	1379
enlist, who may	1370
equipment and organization	1362
finer collected how	1408
disposed of how	1403

	<i>Section.</i>
MILITIA.—Continued.	
finer, refusal or neglect to pay punished how	1409
fund, clothing, constituted how	1416
equipment, constituted how	1416
highways, right of way, have	1421
horses, compensation for	1413
increase of, when	1362
inspector and judge advocate general, compensation	1376
duties	1376
list, assessor makes, of persons liable ..	1357
filed where	1357
marshal, compensation	1407
mayor orders out, when	1400
medical department consists of what ..	1381
duties	1382
members, compensation when on duty	1415
deserters, when	1401
excused when	1393
exempt from arrest when	1421
jury duty, from	1420
poll tax, from	1420
mounted, to provide horses	1413
men, compensation	1412
discharged for disability when	1389
discharged or transferred how, when	1372
enlisted, entitled to discharge when	1371
name	1359
national guard, comprises what	1359
officers, commanding, powers of	1395
commanding, staff, appoint how	1385
compensation	1412
compensation of, when on duty	1415
discharged for disability, when	1389
discharged or transferred when ...	1372
engineer and ordnance, duties of ...	1380
men warned how	1397
noncommissioned, appointed how ...	1386
oath, to subscribe and take	1387
rank of, determined how	1384
ordered out by whom	1358
property exempt from taxation	1418
lost or stolen, valued how	1424
recruits, oath, to take	1388
regiments, infantry, consist of what ...	1367
service, called into, when and how ...	1358
governed how	1358
sheriff acts as marshal of courts-martial	1406
orders out, when	1400
stores, military, seizing	7380
supply department, consists of what ...	1377

INDEX.

	<i>Section.</i>		<i>Section.</i>
MILITIA. Continued.		MINORS.—Continued.	
target practice encouraged how	1396	cigarettes, cigars, tobacco, selling to..	7338
transportation of.....	1417	contracts, disaffirmance of, when and	
troop, battery, company, annual duty		by whom.....	2703
of.....	1394	disaffirmance, what subject to	2702
troop, cavalry, consists of what	1366	necessaries, for, cannot disaffirm....	2704
vacancies in offices filled how.....	1383	personalty, respecting, cannot make,	
		when	2701
		realty, respecting, cannot make.....	2701
		statutory, cannot disaffirm.....	2705
MINES AND MINING.		corporate stock represented by guar-	
certificate, amended, may be filed when	1437	dian	2872
fee for recording.....	1441	crime, incapable of committing, when	6814
location, to contain but one.....	1440	damages, exemplary, when subjected	
construed to contain what.....	1434	to.....	2710
claims abandoned relocated how.....	1439	definition.....	2698
conspiracy to seize.....	7662	delegation of power, cannot give	2701
discovery shaft, equivalent to, what is	1432	executor appointed when	6309
sink when.....	1433	expenses, extra, allowed out of estate	
homicide in forcibly taking	7083	when	6546
injunction, affirmative relief, when is-		guardians appointed when	6540
sues for.....	1443	appointment	6537
extends to right of possession only	1443	persons entitled to.....	6541
liens of miner's, (See <i>Liens</i> .)		bond.....	6544
location certificate, contents	1428	conditions in	6542
certificate recorded where	1428	custody retained until majority	6543
void when.....	1429	marriage terminates	6582
lode claim, discoverer, to record.....	1428	mortgage of real estate	6459
length of.....	1426	period of minority computed how	2698
locating, manner of.....	1430	petition to mortgage, contents of.....	6460
requisites of location.....	1432	wrongs, liable for	2709
surface boundaries marked how.....	1431	(See <i>Children</i> .)	
width of.....	1427		
lode top extends beyond exterior lines		MISDEMEANORS.	
when	1435	accessories, none in	6827
mine disputed, judge may order survey	1442	act prohibited by statute is.....	7029
mining claims, usage governs actions		aiding and abetting in commission of	7689
concerning	5918	compromise allowed when	8409
order for survey made when	1442	stay of proceedings.....	8409-8412
owner of land may demand security ..	1436	defined	6904, 7743
statistics, owners, to furnish.....	124	punishment for, generally.....	6812
surface boundaries marked how.....	1431		
survey, judge orders, if mine disputed	1442	MISNOMER.	
order and contents of.....	1442	allowed when	5299, 5755, 7893, 8041
time within which labor to be per-			
formed	1438	MISSOURI RIVER.	
work, amount to be done annually....	1438	buoy, removing from.....	7579
		tickets, passenger, requisites of.....	7538
MINORS.			
actions, appear in, by guardian	5225	MISTAKE.	
bring, by guardian	2711	classified.....	3852
real estate, to recover, may bring,		fact, of, defined.....	3853
when	6479	law, of, defined.....	3854
allowance from income	3315	foreign, of, one of fact	3855
apprenticeship of, (See <i>Apprentice-</i>			
<i>ship</i> .).....	2831-2849		

INDEX.

	<i>Section.</i>		<i>Section.</i>
MISTAKE.—Continued.		MORTGAGE.—Continued.	
thing obtained through, held in trust..	4263	power of sale authorized	4709
restored, must be.....	3945	trust, is.....	4710
(See <i>Rescission.</i>)		priority, purchase price.....	4689
MITIGATION OF PUNISHMENT.		property adversely held, attaches on	
contempt, punishment for criminal,		when	4708
ground for	7688	adversely held, subject of.....	4708
embezzlement, property restored.....	7471	minor's, subject of, when.....	6459
evidence on, hearing before sen-		record of assignment	4716
tence	8291-8293	notice, not of what.....	4717
juvenile offenders, in cases of.....	7703	subject of, what may be	4704
MOCK AUCTIONS.		transfer, apparently absolute, may be	
punishment for.....	7493	shown to be, when.....	4703
MONEY.		transfer as security deemed, when....	4701
extortion, attempts....	7479	value of, for assessment, who deter-	
loan of, to be repaid in current funds..	4059	mines	1207
receiving, by personating another....	7486		
sheriff not to forward by mail.....	5559	Personal Property.	
MORBID PROPENSITY.		agreement to waive provisions of law	
crimes, no excuse for.....	6816	as to foreclosure, etc., void.....	5891
MORTGAGE.		attachment of property subject to....	5363
In General.		cancellation made how.....	4739
after acquired title subject to.....	4705	execution made how.....	4738
assignment of obligation secured passes	4707	subjected to.....	5508
bottomry and respondentia not gov-		filing, conditional sale must be filed as	4732
erned by law of.....	4702	counties, in other	4736
certificate of discharge must be record-		negligence of officer, effect of.....	4740
ed	4723	notice to whom.....	4734
penalty for not executing.....	4724	valid only as to property in county..	4736
created, renewed or extended how only	4699	form	4731
defined.....	4699	mortgagee may take possession	4741
discharge, certificate of mortgagee, by	4719	property in transit, where deemed to be	4735
entry in margin of record, by.....	4718	removing or destroying, punishment	7668
foreign executor or administrator, by	4720	renewal of, made how	4737
foreign guardian, by.....	4722	ships, certain laws inapplicable	4743
heir or legatee, by	4721	recorded where	4742
factor cannot execute.....	4354	void as to whom, unless filed.....	4733
homestead in case of insanity, of..	3632-3638	paper, unless on distinct.....	3152
lien against whom.....	4713		
attaches to everything grant would		Real Property.	
pass	4712	acknowledged how	4727
special, independent of possession...	4700	defeasance must be recorded.....	4730
obligation of, is not personal without		devisee or successor must satisfy,	
covenant	4706	when	4726
payment of decedent's, from proceeds		form	4725
of property.....	6419	power not extinguished by.....	3452
possession of land not necessary to ...	7003	recorded how	4727
mortgagee entitled to, when.....	4714	record, notice to whom	4728
mortgagee not entitled to, unless....	4714	separate paper showing grant intended	
power of attorney to execute, requisites		as mortgage must be recorded.....	4729
of.....	4711	unorganized county, recorded where...	3509
		(See <i>Foreclosure.</i>)	
		MOTHER.	
		(See <i>Children and Parent and Child.</i>)	

INDEX.

	<i>Section.</i>		<i>Section.</i>
MOTIONS.		NAME.—Continued.	
arrest of judgment not entertained in justice's court.....	6700	towns or villages, changed how	2443-2448, 6149
decision compulsory within what time	5450	townships, of, chosen how.....	2528, 2531
defined.....	5715	recorded by county auditor.....	2530
heard where.....	5716	similar chosen, duty of state auditor	2531
municipal court, in, (See <i>Cities.</i>).....	2209-2247	true, ascertained, pleading amended.....	5297, 5299
notice of eight days required.....	5721	defendant must give on arraignment	8077
time shortened how.....	5721	given, procedure by court.....	8079
preferred.....	5717	substituted how.....	8041
reference to take testimony for use on	5718	unauthorized use of, in prospectus or	
special proceedings, in, defined.....	6097	subscription, misdemeanor.....	7517
verdict, to set aside, not entertained in justice's court.....	6700	unknown, defendant designated by any.....	5299, 6158
MURDER.		NAVIGATION.	
act imminently dangerous to others is	7063	obstructing, misdemeanor.....	7325
arson causing death is.....	7095	rules of.....	3475-3478
death within one year necessary to... defined...	7096, 7058	NECESSARIES.	
degrees defined.....	7065	children, parents liable for.....	2788
designated.....	7064	lunatics cannot disaffirm contracts for	2706
first, defined.....	7065	minors cannot disaffirm contracts for	2704
punishment for.....	7068	parents, of, promise of adult child to pay binding.....	2787
jury determines.....	7072	wife, when husband liable for.....	2771
second, acts constituting.....	7078, 7080, 7083, 7095	NEGLECT, WILLFUL.	
punishment for.....	7069	divorce, ground for.....	2737, 2741
duel, killing in, when.....	7078	NEGLIGENCE.	
guilty, plea of, duty of court ..	7076	agent, principal responsible for, when	4340
punishment, death, time of.....	7077	clerk district court, on change of venue, penalty.....	8118
jury determines.....	7073	defined.....	7714
NAME.		degrees defined.....	5111
change, costs paid by petitioner.....	6152	employees, railroad, generally.....	7321
rights or actions pending, not to affect.....	6152	engineer's, causing death, manslaughter, when.....	7091
corporation, changed only by law.....	2853	racing, boat, death from, punishment	7090
required.....	2853	ship's crew, shipmaster liable for.....	4366
stated in articles, must be.....	2861	ship's pilot, who liable.....	4367
false, instituting action in, misdemeanor.....	7032	steamboat, in management of.....	7253
fictitious, may be used when.....	4410	vessel, overloading, death from, punishment.....	7089
partnership, in, misdemeanor.....	7255	passenger, in management of.....	7252
prosecution may be in, how.....	8041	NEGOTIABLE INSTRUMENTS.	
signing, forgery.....	7444	acceptor, liability on blank instruments	4886
stock subscription, to.....	7515	undertaking without consideration	
partnership, special, may be what.....	4418	binding when.....	4883
special, notice of change of, to be filed	4439	agents, duties of, as collectors.....	4132
required.....	4418	apparent maturity, bills of exchange	
persons, towns, changed how.....	6149-6152	payable at sight or on demand.....	4891
petition to change, contents.....	6150, 6151		
signing own as name of another, forgery.....	7440		

INDEX.

	<i>Section.</i>
NEGOTIABLE INSTRUMENTS.—	
<i>Continued.</i>	
apparent maturity , instrument payable	
at particular time	4889
note payable at sight or on demand ..	4892
time added on note when	4893
bill of exchange , apparent maturity, if	
payable on demand	4891
apparent maturity, payable at sight	4891
dishonor presumed when	4890
classified	4861
collateral security , pledge of, may contain	4858
conditions must be certain of fulfillment	4854
consideration presumed from signature	4867
contracts , contain, what may	4858
contain, what may not	4859
date , may be with or without	4857
past, present or future may be inserted	4860
defined	4853
dishonor of , defined	4895
dishonor, notice of , delay in, excused	
by the unavoidable	4909
excused by what generally	4906
security to indorser	4908
statement that it will be dishonored, by	4907
form	4897
given after death, mode of	4899
given by agents how	4903
given by mail, requisites of	4902
given by one, benefits all parties ..	4905
given by whom	4896
given when, if not by mail	4901
mode of giving	4898
sent after death, valid when	4900
time for giving, to prior parties ..	4904
waived by waiver of presentment ..	4910
waiver of protest, by	4911
waiver of, does not waive presentment	4910
exchange , agreement to pay, may contain	4858
extinguished how	4912
indorsee , consideration, want of, does not affect good faith	4883
due course, in, acquires absolute title	4885
defined	4884
extinguished instrument revives in his hands, when	4913
rights against prior parties	4880
indorsement classified	4871

	<i>Section.</i>
NEGOTIABLE INSTRUMENTS.	
<i>Continued.</i>	
indorsement , general, after special, not permitted	4874
general, changed to special how, by whom	4874
defined	4872
obligation from agreement of	4869
paper annexed, may be on	4870
special, defined	4873
may destroy negotiability how ..	4875
“without recourse,” effect of	4879
indorser , accommodation, same rights as surety	4882
defined	4868
liability of prior, to indorsee	4880
“without recourse”	4878
liability on blank instrument	4886
indorsement before delivery	4877
instrument in blank	4886
rights, same as guarantor	4881
undertaking without consideration binding when	4883
warranties implied from indorsement	4876
lightning rods , given for, must be stamped	7671
maker , undertaking without consideration binding when	4883
obligation of , extinguished how	4912
revived after extinction how	4913
option to pay money or perform other act	4856
parties to, liable on blank instrument	4886
patent right , given for, must be stamped	7671
payable , immediately, if time unspecified	4862
money, only in	4854
place, at what, if unspecified	4863
whom, to, if order or bearer added ..	4864
payee being maker	4865
payee fictitious	4865, 4866
payment , conditions concurrent to ..	4894
offer of, what equivalent to	4887
place of, may be with or without ..	4857
time of, may be with or without ..	4857
payee , ascertainable at time of making, must be	4855
maker or fictitious, effect of	4865
presentment for payment , delay in, excused by the unavoidable	4909
excused in what cases	4888
security to indorser, by	4908
statement that it will be dishonored, by	4907

INDEX.

	<i>Section.</i>		<i>Section.</i>
NEGOTIABLE INSTRUMENTS.—		NIGHTTIME.	
<i>Continued.</i>			
presentment for payment, holder must		arrest without warrant in, when	7925
make	4888	arson, defined as to	7385
made to whom	4888	burglary, defined as to	7413
manner of making	4888	larceny from person in	7452
place of making	4888	search warrant may be served in, when	8470
principal charged without	4887		
time of making	4888	NOLLE PROSEQUI.	
waived by waiver of protest	4911	abolished	8501
waiver of, waives notice of dishonor	4910	NONRESIDENT.	
waiving notice does not waive	4910	agents for distributee of estate, ac-	
promissory notes, apparent ma-		count, to render annually	6533
turity	4892, 4893	appointed how	6530
signatures presumed to be for consid-		bond of	6531
eration	4867	liability on bond	6534
stallion, given for, must be stamped	7671	attorneys may practice when	426
warranty, implied, on sale	3981	corporate stock, transfer of	2904
NEWSPAPERS.		deputies or clerks, cannot be	374
messages for, entitled to preference	4251	executors appointed when and how	6333
qualified to do legal printing	1804	guardian of property of	2815
statement, false, to increase circulation	7328	notice for, served on clerk when	5730
NEW TRIAL.		property, of, claimant for	6535
Civil Action.		discovered after final settlement	6536
application for, how made	5473	sale, when	6532
causes for	5472	surety for costs required when	5597-5599
defined	5471	NORMAL SCHOOLS.	
granted by court of its own motion,		accounting officer	309, 313
when	5475	accounts, method of keeping, (See <i>State</i>	
hearing, reference had to what on	5476	<i>Institutions.</i>)	309-321
insolvency proceedings, in	6091	appropriation, duty of board as to	914
motions for, affidavits, on, proceedings	5474	boards of management constituted how	908
hearing when	5476	boards of trustees, appointment and	
minutes of court, on	5474	terms of	909
newly discovered evidence, on, when	5474	compensation	911
reference may be had to what on	5473	constituted how	908
statement of case, on	5474	meetings	911
time extended when	5477	quorum	910
notice of intention, contents	5474	re port biennially	920
specification of particulars	5474	secretary	910
time for serving	5474	compensation of secretary	911
statement of case, preparation of	5474	course of study prescribed by whom	627
time for, if motion on minutes	5474	diplomas to be issued by board and	
time for, limited when granted by su-		faculty	921
preme court	5629	endowment and maintenance	906
Criminal Action.		faculty, duties of	917
application for and notice	8272	report annually	919
made upon what	8273	funds, treasurer to keep	912
time limited	8274	graduates entitled to state certificate	922
causes for granting	8271	location	905
defined	8270	management	907
minutes of court, motion for, upon	8273	object	913
ordered on appeal, where had	8351	principal is chief executive officer	918
		salary of employees fixed by board	916

INDEX.

	<i>Section.</i>		<i>Section.</i>
NORMAL SCHOOLS—Continued.		NOTICE.—Continued.	
storekeeper, duties.....	317	creditors, publication of.....	6400
superintendent of construction, ap- pointment.....	914	special administrator to publish....	6329
treasurer.....	310	time of.....	6401
NORTH DAKOTA FIREMEN'S AS- SOCIATION.		estate at will, to terminate... ..	3347
appropriation for.....	1031	false, not validated by happening of event.....	5119
officers of, reports by.....	1032	hearing on appraisement of decedent's estate, of.....	6392
tournaments, time and place.....	1033	habeas corpus, writ of.....	8669
NOTARIES PUBLIC.		report of sale of decedent's realty... ..	6452
acknowledgments, may take.....	3573	judgment, entry of.....	5480
appointment, qualifications, powers ...	462	lease, to change terms of.....	3368
commission, record, posting, fee.....	463	legacy, payment of.....	6505
record by clerk of district court.....	472	lis pendens.....	5251
revocation, notice to notary.....	474	motion, of, time for serving.....	5728
contempts of, proceedings to punish... ..	5953	no personal claim, of.....	5250
depositions, may take.....	5673	proof of service.....	5262
fees.....	2091	partition, of, in county court.....	6519
bill of, to keep posted, penalty.....	2105	place of private sale, decedent's prop- erty.....	6443
protest, for making.....	468	postponement of sale.....	6449
oath and bond, filing.....	464, 471	probate of foreign will.....	6334
oaths, may administer.....	460	record is constructive, of execution of instrument.....	3597
penalty for acting without authority ..	475	re-enter, of intention to.....	3349
protest made how.....	466	service made on attorney when.....	5732
served how.....	467	mail, by, doubles time.....	5727
record of notice.....	469	mode of.....	5726
records, defacing or not depositing, penalty.....	465	permitted when.....	5725
removal from county, refiling commis- sion.....	473	manner of.....	5724
seal of.....	471	nonresidents, on.....	5730
subpoenas, may issue.....	5654	unnecessary when.....	5729
vacancy in office, records, disposition of.....	465	settlement of accounts, executor or ad- ministrator.....	6415
NOTE OF ISSUE.		trial, of.....	5422
contents.....	5422	service by mail, time.....	5727
filed, need not be, when....	5421, 6270, 6779	writing, must be in.....	5723
filed when.....	5422	NOVATION.	
NOTICE.		contract, made by.....	3830
actual, defined.....	5116	defined.....	3828
appraisers of decedent's estate, to....	6386	methods in which made.....	3829
classified.....	5115	rescission of acceptance.....	3831
constructive, what deemed... ..	5118	NOXIOUS WEEDS.	
defined.....	5117	compensation of road supervisors for destruction.....	1685
creditors, to, county court directs exec- utors and administrators to give ..	6400	county commissioners determine time and manner of destroying.....	1684
given when.....	6400	notify township officers to destroy, to	1684
liability of administrators and execu- tors for failure to give.....	6427	judgment for destruction of.....	1685
proof and record of.....	6402	manner of destroying.....	1683
		notice to destroy, given how.....	1684

INDEX.

	<i>Section.</i>
NOXIOUS WEEDS.—Continued.	
road supervisors to destroy on high-ways, school sections, timber claims	1685
destroy when	1685
neglect, penalty	1686
state's attorney, duty of	1686
NUISANCE.	
abatement no bar to action for dam-ages	5061
action to abate	5920
defined	5056
explosives, keeping unlawfully	7290
gambling, keeping apparatus for	7234
intoxicating liquors, defined as to	7605
liability of successive owners not abat-ing	5060
lottery deemed common	7218
maintaining, misdemeanor	7289
opium, place used for smoking, etc	7626
private, abated by person injured, how	5069
abatement, notice required when	5070
defined	5058
remedies against named	5068
public, abated by board of health	259-262
abated by private person when, how	5067
public officer, by	5066
defined	5057, 7287, 7288
lapse of time cannot legalize	5062
private person may maintain action	5065
when	5065
remedies against named	5063
remedy by indictment, how regulated	5064
statute, nothing authorized by, deemed	5059
waters, fouling with gas tar	7291
OATHS.	
administered by whom	460
administering extra judicial	6996
affirm, who may	461
affirmation constitutes	6963
attorney's	423
civil officers, form of	341
defined as to perjury	6963
deputies, of	372
election officers, of	486
administer, may, when	613
extra judicial, what is	6995
administering, misdemeanor	6996
includes affirmation	5135, 8507
official, indorsed on bond	341
sheriff may administer, when	5515, 5522
witnesses'	5664

	<i>Section.</i>
OBLIGATIONS.	
accord accepted, extinguishes	3826
defined	3824
execution must be full	3825
satisfaction defined	3828
alternative, selection must be of one in	3779
its entirety	3779
selection, right of, with obligor when	3777
right of, passes to obligee when	3778
valid one prevails, if one unenforce-able	3780
classified	3765
conditional, defined	3768
conditions classified	3769
concurrent, defined	3771
forfeiture, involving, strictly con-strued	3776
impossible, void	3775
precedent, defined	3770
subsequent, defined	3772
unlawful, void	3775
covenants running with land, (See <i>Prop-erty, Real.</i>)	3784-3791
defined	3762
enforcement, performance, without,	3774
after notice of refusal	3774
prerequisites to	3773
extinction, accord and satisfaction, by,	3824-3827
(See <i>this title.</i>)	3824-3827
offer of performance, by, (See	3799-3819
<i>this title.</i>)	3799-3819
performance, by, (See <i>this title.</i>)	3792-3798
release, by, (See <i>this title.</i>)	3832-3834
interpretation, rules of	3764
imposed by law, deceit defined	3941
deceit, to compensate for	3941
injury, to abstain from	3940
intent to defraud presumed in whose	3943
favor	3943
responsibility for willful acts and	3946
negligence	3946
restoration on demand only, when ..	3945
demand, without, when	3945
thing wrongfully acquired, of	3944
joint, contribution, right to	3767
presumed when	3766
presumption, how overcome	3766
joint and several, contribution, right to	3767
novation, contract, made by	3830
defined	3828
methods in which made	3829
rescission of acceptance	3831
origin	3763

INDEX.

	<i>Section.</i>		<i>Section.</i>
OBLIGATIONS.—Continued.		OBSCENE EXHIBITIONS.	
payment, offer of, and deposit extin-		defined	7206
guish	3814	OBSCENE LANGUAGE.	
performance, application of, when sev-		prosecution for, time limited	6854
eral	3798	punishment for	6836
directed, as, extinguishes	3795	OBSCENE LITERATURE.	
full, extinguishes.....	3792	bringing into state, etc., punishment ..	7215
offer and refusal, what equivalent to	3823	pleading, sufficient, when	8056
one, by, extinguishes liability of all	3793	sale of, etc., to minors	7213
one, to, extinguishes, exception....	3794	punishment for	7214
partial, if accepted, extinguishes....	3827	OFFENDERS, JUVENILE.	
extinguishes pro tanto when	3796	imprisonment of	7703
payment defined.....	3797	OFFENSE, PUBLIC.	
prevented by creditor, debtor's		(See <i>Crimes.</i>)	
rights.....	3821, 3822	OFFICE.	
receipt for property obligatory	3813	acting in, without qualifying	6900
want of, excused when	3820	buying appointment to, prohibited ...	6911
performance, offer of, able and willing		eligible to hold, who is	17
to perform, must be	3809	exercising, after term	6915
conditions, free from	3808	forfeiture of, not effected when	7734
contingent on condition.....	3812	keeping at other place a misdemeanor	376
creditor's duty as to thing offered...	3819	kept only where law requires	375
creditor, to, or one authorized by		place required by law, not keeping at,	
him.....	3802	misdemeanor	376
debtor, by, or with his assent	3801	removal from, by action, action, civil ..	362
deposit and, extinguish.....	3818	appeal from judgment of	7836
deposit of money and, extinguish....	3814	causes for	361, 7824
deposit of thing other than money...	3817	criminal action, accusation denied	
extinguishes, when.....	3799	how	7830
made after due, when.....	3806	accusation, form and contents of ...	7825
made at option of debtor, where ...	3803	objections to be in writing	7829
made at time fixed.....	3804	answer	7828, 7831
made when, if time not fixed.....	3805	district court, procedure	7838
objections to mode of, waived, if not		drunkenness, habitual, ground for ..	7838
stated.....	3815	duty, neglect of, ground for	7838
partial, of no effect	3800	fees, demanding illegal, ground for ..	7838
production of thing unnecessary, if		judge, duty of, on receiving accusa-	
refused	3810	tion	7826
requisites of.....	3807	judgment assigning causes, entered	
thing offered to be unmixed.....	3811	on minutes	7834
title to thing offered passes when ...	3816	notice, appearance and answer	7827
want of, excused when	3820	notice to accused	7826
release extends only to known claims		officers liable to	7824
extinguishes	3832	plea of guilty, judgment	7832
joint debtor, of one, does not release		process for witnesses, parties entitled	
others	3834	to	7835
methods of making	3832	special proceedings for	7823
transfer, burden, of, with beneficiary's		state's attorney, duty on receiving	
consent	3781	accusation	7826
right arising from, of	3782	proceedings against	7837
OBSCENE BOOKS, PRINTS, ETC.			
destruction	7209		
seizure	7207		
summary disposition of	7208		

INDEX.

	<i>Section.</i>
OFFICE. - Continued.	
removal from, by action, trial by jury, procedure	7833
trial of the accusation	7832
vacancy pending appeal.....	7836
verdict of guilty, judgment on.....	7834
removal from, by impeachment, accused	
not appearing, procedure	7802
accused suspended from office by....	7803
answer of accused	7806
articles of impeachment, contents...	7796
objections to, by accused	7807
prepared how	7798
service on accused	7800
sufficient, when deemed	7799
vote taken upon, how	7814
charges and specifications	7799
chief justice presides when	7797
compensation of court and offi- cers	7821, 7822
conviction, judgment how rendered..	7815
counsel for accused	7805
form of articles	7799
judgment disqualifies, etc.....	7818
entered when	7816
extends to what	7817
lieutenant governor	7797
procedure	7819
managers may employ counsel when notice to accused	7798 7800
served how	7801
number necessary to conviction	7797
officers, what liable to	7796
originated by resolution	7798
organization of court.....	7804
power of, where vested	7797
senate, in, general.....	7812, 7813
process for witnesses, who entitled to	7811
prosecution, how conducted	7798
prosecution for crime not barred by..	7820
secretary of senate, duty of.....	7809
senate appoints subordinate officers..	7810
day of hearing, to assign	7800
power of, as court.....	7804
tried by the senate	7797
vote, what convicts	7814
resignation of, how and to whom made	360
rewards for appointment to.....	6913
selling appointment to, prohibited	6912
term, exercising, after.....	6915
vacancy in, appointee to fill, qualifies	
how	369
appointments to fill, made how	368

	<i>Section.</i>
OFFICE.—Continued.	
vacancy, brief, not filled when.....	367
caused how	359
failure to qualify, from	355
filled by appointment by whom ...	365, 366
OFFICERS.	
General Provisions.	
account, false, making as to state mon- ey, felony	7360
public, fraudulent alteration of, fel- ony	7360
accounting, for state institutions.....	309
acting as, without having qualified....	6900
appropriation, wrongful, of money, etc., of state, felony	7360
assuming to be, falsely	6902
bonds, amount, when not otherwise provided	343
approved by whom	342
insufficient, time to supply sufficient	351
officers, what to give	340
recorded and deposited where.....	342
run to whom	342
certificate, false, delivering	7036
contempt of, proceedings to punish....	5953
contract, etc., public, becoming inter- ested in, misdemeanor	7362
de facto, acts valid when	6901
duty, omission of, misdemeanor, when refusal to perform	7028 7363
embezzlement by.....	7360
extortion under official right, misde- meanor	7476
money, public, refusal to pay over, fel- ony	7360
oath, must take and subscribe	341
obstructing, etc., in his duty.....	6994
personating, etc., falsely	7487
property, public, must deliver to suc- cessor	358, 364
qualify, failure to, causes vacancy when	355
qualify when	354
records of, destroying, etc.....	6959, 6960
re-elected, must qualify and account..	357
reports, to make, when	72
penalty for failure to make... ..	304, 306
salary, per diem, affidavit required	2107
statistics, duty as to furnishing.....	124
successors, to turn over laws to.....	65, 78
suspension during pendency of action to remove	363
violation of law regulating conduct, misdemeanor	7361

INDEX.

	<i>Section.</i>		<i>Section.</i>
OFFICERS.—Continued.		OFFICERS.—Continued.	
warrant, public, buying, misdemeanor,		arrested person, delaying to take before	
when	7629-7632	magistrate	6988
Administrative.		money taken from, receipt for.	8429
records, refusal to surrender	6917	arresting without process, misde-	
County.		meanor, when	6989
bonds, record of	352	defined	7720, 7895
records to be examined.	307	doors, etc., may break on search war-	
refusing to perform duty	7368	rant when	8468, 8469
resignation before entering on duties..	550	escape from, assisting	6952
speculation in office, punishment.....	7631	permitting, misdemeanor, when....	6986
term begins when	353	gambling, duty to inform against	7243
Election.		homicide by, justifiable when	7098
bribery of	6889	prize fight, duty regarding.....	7353
canvassing, etc., votes, falsely	6888	property, in custody of, injuring	6945
disobedience of.....	6879, 6881	retaking, misdemeanor.....	6945
disturbing by violence	6880	rescue of prisoner from	6944
Executive.		resisted in executing process, to report	
bribe, asking	6904	resisters.....	7785
offering to	6903	resisting during insurrection.....	6993
receiving	6904	reward, taking for services on extradi-	
bribing.....	6903	tion	6910
fees, illegal, asking or taking.....	6907	riot, endeavors to be made before en-	
taking, for services not rendered	6909	dangering life	7794
intimidate, attempting to	6905	failure to exercise authority regarding	7792
records, refusal to surrender.....	6916	search warrant, misconduct in executing	6990
resisting.....	6906	seizing property without process mis-	
reward, delaying duty for.....	6908	demeanor when	6989
omitting duty for.....	6908	stolen property held by, when	8424
Judicial.		School District.	
bribery of, punishment.....	6935	bonds, where filed, duty of auditor....	346
bribes, receiving.....	6936	warrants, etc., buying, misdemeanor..	7632
disclosing presentment or indictment..	7030	State.	
gifts, accepting	6939	account of fees, to keep, report	327
intimidate, attempting to	6999	appropriation for salaries	336
warrant, issuing, misdemeanor when..	7113	bonds, additional, failure to give, con-	
Ministerial.		sequence	350
intimidate, attempting to	6999	governor may require.....	350
money, etc., appropriating, felony when	6985	clerk hire for.....	334
records of office, injuring, etc.....	6985	appropriation for.....	335
Peace.		duty, refusing to perform	7369
aid, may command, when...7784, 7914,	8303	salaries payable monthly.....	337
refusal to, misdemeanor	6991	supplies for	338
arrest by bystanders, duty of, as to ...	7927	superintendents of state institutions,	
doors, etc., may break, when ...7922,	7924	duties.....	311
duty to, without warrant when.....	7553	Township.	
duty on, without warrant	7926	bonds, appropriation for filing	348
made at night without warrant when	7925	filed where, duty of auditor	346
warrant of, must obey	7920	term begins when	353
		OIL INSPECTION.	
		brands, destruction of required, pen-	
		alty.....	1767

INDEX.

	<i>Section.</i>		<i>Section.</i>
OIL INSPECTION.—Continued.		ORDINANCES.	
brands, inspectors to provide themselves		cities, how proved.....	2147
with	1763	village, how proved.....	2417
using false, penalty.....	1765	OVERSEERS OF POOR.	
deputies appointed how	1761	(See <i>Poor.</i>)	
bonds filed where.....	1761	OVERSEERS OF HIGHWAYS.	
powers and duties	1761	(See <i>Highways.</i>)	
exemption from	1773	OWNERSHIP.	
fees for	1762	absolute, defined	3279
inspector appointed by whom	1759	suspension, period of permitted	3334
bond	1761	arson, defined as to.....	7387
deputies, may appoint	1761	classified.....	3278
office, term of	1759	conditions classified.....	3304
oils, tests when.....	1761	imposed on, may be	3303
powers and duties	1761	precedent, defined	3304
record, to keep	1764	illegal, void how far	3305
removal of	1759	subsequent, defined	3304
reports.....	1764	defined.....	3266
rules and regulations, to establish... 1763		game and fish, state owns	7676
violations, failure to prosecute, pen- alty.....	1770	land below high water mark.....	3276
oils, adulteration of, penalty.....	1768	owners, who may be.....	3275
dealing in, by inspector prohibited .. 1771		obligations, repairs, taxes, fences	3378, 3379
inspected how.....	1760	support of adjoining lands, right to .. 3375	
rejected, penalty for selling	1763	partnership, in, defined.....	3284
test of, made how	1760	product of mind, subject of	3479
uninspected, dealing in, penalty..... 1772		qualified, defined	3280
liability for selling.....	1769	real property, boundaries, banks and beds of streams	3373
penalty for selling	1765	corporations, limitation as to relig- ious, etc	2859
penalty for using	1766	extends above and below surface.... 3372	
OLEOMARGARINE.		highway, extends to center of..... 3374	
(See <i>Dairy Products.</i>)		several, by, classified.....	3282
OPIUM.		sole, defined.....	3281
places used for smoking, etc., nuisance 7626		subjects of	3267
smoking, keeping place for, how pun- ished	7627	tenancy, common, interests of several are, unless	3286
visiting places used for smoking, pun- ishment.....	7627	defined.....	3285
ORDERS.		joint, defined.....	3283
appealable, what are	5626	termination, future contingent interest defeated by posthumous child..... 3318	
criminal action, clerk to enter, in minutes when	8261	future interest defeated how	3319
defined.....	5714	defeated, when not.....	3320, 3321
describe papers on which made, to.... 5719		trees, trunks on lands of one.....	3376
excepted to, what deemed	5463	trunks on line	3377
made without notice, vacated how 5720		wild animals, subjects of, when.....	3268
power of supreme court as to, on appeal 5628		PAPERS.	
sale of ward's property, contents of.... 6569		lost, originals, copies substituted	5735
special proceedings, in, defined..... 6097		refusal to surrender official.....	6916
staying proceedings, time limited	5718		
vacation, because made by outside judge contrary to law.....	5180		

INDEX.

	<i>Section.</i>		<i>Section.</i>
PARDONS.		PARENT AND CHILD.—Continued.	
application for, contents.....	8436	parents, provision for children, omit-	
contest, notice of.....	8437	ting to make	7173
persons who may	8437	provision for minor children, refus-	
governor, to.....	8431	ing to make	7174
governor, to, reports, etc.....	8434	residence, may change.....	2794
executed and attested how.....	8441	support of minor child, refusing.	
notice of	8437	punishment.....	7174
papers in, filed where.....	8439	protection, force which may be used in	2719
rules governing, made by governor....	8438	seduction of daughter forbidden.....	2718
service of	8436		
PARENT AND CHILD.		PARKS AND PUBLIC GROUNDS.	
abduction forbidden	2718	real estate may be acquired for.....	2503
acts of other, neither answerable for..	2795		
children, adoption, freed from parents		PARTIES.	
after	2805	administrators, without joining bene-	
custody, divorce actions, in and after	2760	ficiaries	5223
illegitimate belongs to mother.....	2781	assignee of thing in action.....	5222
marriage annulled, after.....	2734	conveyance, holders of unrecorded,	
mutual right of parents to.....	2796	need not be	5231
parents separated.....	2796	county court, in, (See <i>Estates of Dece-</i>	
persons entitled to.....	2780	dents.)	
transfer of	2780	court may bring in other, when	5238
dominion of parents, when freed from	2784	death of, action proceeds how	5234
earnings of illegitimate, belong to		one of several, action proceeds how..	5237
mother.....	2781	defendants, who may be	5230
parent may relinquish	2792	executors without joining beneficiaries	5223
persons entitled to.....	2780	holders of unrecorded conveyance need	
legitimacy, born after marriage dis-		not be	5231
solved	2777	interpleader, substitution by.....	5240
born before wedlock.....	2777	intervention, by	5239
marriage annulled	2733	joinder of	5232
parents divorced	2751, 2752	severally liable on same instrument..	5233
presumed, if born in wedlock.....	2776	marriage of, action proceeds how	5234
presumption, who may dispute....	2778	married women	5224
property, parent as such has no con-		miner's liens, action to foreclose	4810
trol	2783	minors must appear by guardian	5225
services after majority	2791	mortgages on realty, actions to foreclose	
support, action for	2786	5231, 5868
allowance out of their property for	2782	numerous, one may act for all.....	5232
furnished by whom.....	2779	partition, necessary.....	5797
majority, after.....	2791	partnership, special, actions by or	
mother assists in, when.....	2779	against	4429
parents not liable, when	2789	plaintiffs, all persons interested may be	5229
unborn, rights of.....	2700	nonconsenting, made defendants....	5232
wife's by former husband, services..	2790	real, in interest, to prosecute action..	5221
support of.....	2790	real property, quieting title, defend-	
wages paid to, when.....	2793	ants	5907
obligation of support, mutual.....	2787	quieting title, plaintiffs.....	5908
parents, authority, abuse of, judicial		recovery of possession.....	5230
cognizance	2784	severally liable, joinder as defendants	5233
authority ceases when	2785	special proceedings.....	6096
necessaries of children, liable for....	2788	transfer of interest, action proceeds	
		how.....	5234

INDEX.

	Section.
PARTIES.—Continued.	
trustee of express trust defined.....	5223
beneficiaries, without joining	5223
unrecorded conveyance, holders of, need not be	5231
(See <i>Examination of Parties.</i>)	
PARTITION.	
abstract of title, cost how paid.....	5841
made by whom	5842
notice of making, filing.....	5841
verified how	5842
action authorized when	5795
continued after partial determination	5817
answer, allegations of	5801
complaint, allegations of.....	5796
compensation for inequality in.....	5835
conveyances, bar of.....	5830
recorded where.....	5830
costs, interest on, when	5843
paid by whom	5839
county court, in, (See <i>Estates of Dece-</i> <i>dents.</i>)	
estates, value of certain determined by court	5824
estates for life or years, compensa- tion to.....	5821, 5822
owner's rights protected.....	5823
set off how	5813
expenses apportioned among parties..	5811
guardian may consent to, without ac- tion.....	5838
judgment, conclusive on whom.....	5809
report of referees, on	5809
rights of absent owners determined before, when	5802
liens, costs of partition preferred to...	5812
follow owner's share.....	5812
lienors, parties, brought in as, when ..	5804
parties, not, notice to appear before referee	5805
secured otherwise, to exhaust other security	5815
lis pendens, contents, filing.....	5798
partial, adjudged when.....	5803
parties, necessary	5797
referees appointed when.....	5806
convey property sold	5828
notice to appear before	5805
service of	5805
purchaser of property, cannot be....	5826
report on division.....	5808
liens, outstanding, on.....	5805

	Section.
PARTITION.—Continued.	
referees, rules governing.....	5807
single, when	5840
reference to determine outstanding liens	5804
relief granted in	5795
rights of all parties may be determined	5802
road, way or street	5807
sales, investment of unknown owner's share	5831
minor's share, proceeds paid to whom	5836
mode of making.....	5818
order to convey.....	5828
ordered when	5806
parcels, to be in, when.....	5825
share of person of unsound mind....	5837
proceeds, disposition of.....	5816
incumbered property, of, how ap- plied.....	5814
purchaser, who cannot be.....	5826
receipt of one entitled to share ac- cepted as payment.....	5829
report of, filing.....	5927
terms of, fixed by court.....	5819
terms made known at the time.....	5825
securities, clerk's duty as to	5834
purchase money, for, how taken....	5820
taken in clerk's name when.....	5832
taken in party's name when.....	5833
summons directed to whom.....	5799
notice in, required, if served by publi- cation.....	5800
surveyor employed when	5807
tenants, what not affected.....	5810
unequal, compensation for	5835
PARTNERSHIP.	
In General.	
defined.....	4370
fictitious names, certified copy of cer- tificate, evidence	4415
certificate, execution	4412
contents, filing	4410
new, on change of members.....	4413
publication.....	4410
foreign partnerships exempted, what	4411
penalty for noncompliance with law	4412
use of, misdemeanor, when.....	7255
formation, consent essential	4372
insolvency proceedings	6093-6095
partners, account to partnership.....	4381
agreement not to carry on similar business valid	3928
claims of deceased, sold when	6444

INDEX.

	<i>Section.</i>		<i>Section.</i>
PARTNERSHIP.— In General.— Continued.		PARTNERSHIP.— General.— Continued.	
partners, compensation, none	4382	partners, liquidating, authority of 4407, 4408	
good faith toward each other re-		liquidating, barred claims, cannot re-	
quired	4380	vive	4408
interest extends to all its property...	4374	majority governs	4386
interests of deceased, sold when	6444	ostensible, liability of	4396
lien on other partner's shares	4377	profits made by, belong to firm	4390
reimbursement for what	4381	surviving, authority of	4409
ship owners are not	4371		
share of, defined	4375	Special.	
trustees for each other	4379	actions by and against, parties	4429
profit and loss, agreement implied to		admission of new special partners	4439
share losses equally	4376	affidavit of partners required	4420
shares in, presumed equal	4375	authorized	4416
property defined	4373	banking, cannot do business of	4416
presumption as to what is	4378	business, general partners only conduct	4426
renunciation, effected how	4383	capital cannot be withdrawn	4430
exonerates partner when	4383	certificate, affidavit of publication of ..	4423
profits cannot be claimed after	4384	execution and filing	4419
General.		publication required	4422
defined	4385	constituted how	4417
dissolution, causes effecting	4399	continuance made same as formation ..	4424
notice of	4402	dissolution effected how	4440
partial, by any partner retiring	4400	estoppel from questioning legality of	
partner entitled to judgment of,		formation	4437
when	4401	formed how	4418
partner's liability after, terminated		formed only by complying with law ...	4421
how	4402	fraud in	7271
term not prescribed, authorized when	4398	general, becomes, when	4438
liquidation, authority of partner in 4407, 4408		insurance, cannot do business of	4416
partners may act in	4405	name	4425
some may not act in, when	4406	partners, general, authority to trans-	
notice of dissolution, change of name		act business	4426
sufficient when	4403	liability, extent of	4434
terminates liability	4402	partners, special, capital, cannot with-	
partners, account for profits of other		draw	4430
business when	4383	estoppel from charging as general ...	4437
actual, only liable, except	4397	general, become, when	4432
agents for, authority	4387	interest and profits, may receive ...	4431
authority after dissolution, limited ..	4404	liable as general partner when	4436
authority, none to do what	4388	liability, extent of	4435
bad faith of copartners, not bound by	4389	loans to firm, rule governing	4428
engaging in other business forbidden	4391	new, admitted how	4439
permitted when	4392	rights of, advice in business	4427
judgment of dissolution, entitled to,		preferences void	4433
when	4401	renewal of, made same as formation ...	4424
laws applicable	4395	sign before place of business	4425
liability after dissolution terminated		transfers of property void when	4433
how	4402		
dissolution, for partial	4400	PASSENGERS.	
terminated by change of name ...	4403	accommodations and treatment	4184
third persons, to	4394	death of, from negligence	7090
		ejection of, how, where	4240

INDEX.

	Section.		Section.
PASSENGERS.—Continued.		PENALTIES.	
landing before visit of health officer...	7294	actions for, (See <i>Actions for Penalties</i>	
luggage, carriage	4232	and Forfeitures	5785-5794
risk theirs, when	4235	contract containing, may be enforced	5028
modification of carrier's obligation re-		imposed by, void	3922, 3923
stricted	4231	specifically enforced, not	5020
PATENTS.		PENITENTIARY.	
action by state to annul, grounds	5752	accounting officer	309, 313
record, entitled to	3563	duty as to earnings of inmates	8568
PAUPER.		accounts, method of keeping, (See <i>State</i>	
sending out of county without author-		<i>Institutions.</i>)	309-321
ity	7672, 7673	board of trustees, appointment	8519
(See <i>Poor.</i>)		bond, approval, filing	8520
PAWNBROKER.		compensation	8521
license required	7246	compensation and expenses paid how	8521
sale of goods before default, misde-		contract for convict labor, may can-	
meanor	7248	cel, when	8565
stolen goods, refusal to exhibit	7247	contracts, must not be interested in	8526
PAYMENT.		duties	8523
agent, to, sufficient when	4338	employment of inmates, authority as	
applied, several obligations, how	3798	to	8571, 8572
claims against decedent, due or to be-		members, only two from same county	8519
come	6422	number	8519
debts of decedents	6417-6427	oath	8520
defined	3797	parole, establish rules concerning ...	8556
dismisses complaint when	5875	president, appoints	8522
execution, suspends, when	5876	proposals, power of	8530
honor, for, acceptance does not excuse		proposals for supplies, opening	8530
notice	4938	records	8522
made how	4936	attested how	8522
made when	4934, 4935	open to inspection	8525
presentment and notice of dishonor		reports, contents	8524
of bill	4937	general and special	8524
negotiable instrument extinguished by,		sentence, diminution of, duties	8542
to holder	4912	sessions	8521
part, accepted, extinguishes obligation		term	8518
when	3827	vacancy filled how	8519
redemption, in, made to whom	5546	visiting trustees, appoints	8522
sheriff, to, by third person	5514	warden, appoints	8532
time of, rules governing	3915	chaplain, compensation, employment ..	8538
PEACE.		commitments, contents	8540
(See <i>Security to Keep the Peace.</i>)		warden's duty on	8540
PEACE OFFICER.		contracts approved by whom	8528
(See <i>Officers, Peace.</i>)		warden makes	8528
PEDDLERS.		contract for convict labor authorized	8562
acting without license	7249	award, when and by whom	8566
license, to pay state	1291	board controls warden as to	8565
peddling, unlawful, (See <i>Licenses.</i>)	1738	leases, disposition of	8566
tax	1291	triplicate, to be in	8566
		proposals for	8566
		opened when and by whom	8566
		record of labor and earnings	8567
		rights reserved in lease	8563

INDEX.

PENITENTIARY.—Continued.	<i>Section.</i>	PENITENTIARY.—Continued.	<i>Section.</i>
contract for convict labor, security re-		inmates, rules, punishment for break-	
quired of lessees.....	8564	ing, alleviated how.....	8545
subject to law for extra earnings ...	8570	sale of products.....	8574
courts of Burleigh county have juris-		treatment uniform.....	8552
diction	8513	warden may allow tea, coffee or to-	
custody of inmates	8541	bacco when	8547
employees, acts prohibited..	8539	inquest, burial of body.....	8595
contracts, must not be interested in..	8526	expense of, paid how	8596
duties.....	8539	held when	8592
jury duty, exempt from.....	8514	open to public.....	8593
escapes, attempts to make.....	6948	procedure in.....	8594
jurisdiction, from.....	7870	return of.....	8595
prosecution, expense paid how	6958	testimony, whose required	8594
punishment for.....	6947	inventory of personal property.....	8527
reward, governor may offer.....	8482	intoxicating liquors prohibited in	8547
offer of, required	8555	jurisdiction of offenses in	8513
payment of.....	8555	jury duty, officers and employees exempt	
warden responsible for, when	8555	from	8514
governor appoints board.....	8519	location of	8512
imprisonment in, is at hard labor	8304	offenders, employment and government	8512
inmates, beds and clothing	8549	officers, acts prohibited.....	8539
clothing.....	8553	appointment	8532
communication between, prohibited	8546	contract, must not be interested in ..	8526
communication with outsiders		duties.....	8539
prohibited	7034, 8546	enumerated	8531
contract for labor.....	8562	jury duty, exempt from.....	8514
dead, disposition of money and effects	8597	qualifications and oath	8533
death of, duty of warden.....	8592	salary.....	8534
inquest to be held	8592	term	8532
discharge	8553	parole of inmates, breach of	8560
discipline	8546	board empowered to grant	8556
warden maintains.....	8550	grounds for recommending.....	8559
escape when employed outside.....	8554	recommitted to custody when.....	8560
employment of.....	8546	recommitment, execution of order... ..	8561
buildings, on public.....	8571	fees for execution	8561
discharge, after.....	8553	requirements precedent to	8558
outside	8554	rules and regulations established how	8556
roads and streets, on.....	8573	prison, is general of the state.....	8512
extra work of, compensated how	8567	punishment and reformation of of-	
food, kind allowed.....	8548	fenders, for	8512
funds, duty of warden as to.....	311	process, service upon inmates.....	8514
good behavior rewarded how	8544	service upon officers and employees..	8514
insane, disposition of.....	8590	property, warden custodian of.....	8528
expense of transfer paid how.....	8590	rules and regulations, infractions pun-	
proceedings taken when.....	8590	ished how	8545
transferred to hospital how	8591	sale of products	8574
labor of, leased how and by whom ..	8562	sentence, diminution of.....	8542
paroled, who may not be	8557	storekeeper, duties.....	317
payment of extra earnings	8569	supplies, contract for yearly	8529
physician may allow liquors when... ..	8547	furnished how.....	8529
punishment for breaking rules.....	8545	proposals, notice of	8529
refractory may be restrained.....	8551	treasurer.....	310
		visiting trustees, duties of	8522

INDEX.

	<i>Section.</i>		<i>Section.</i>
PENITENTIARY.—Continued.		PERJURY.—Continued.	
warden, absence forbidden, when		oath of office excepted	6964
deputy away	8535	pleading, sufficient when	8054
assistance, may summon	8550	punishment	6971
bond, condition, filing	8533	statement, false, defined	6969
contracts, makes	8528	subornation, defined	6975
contract for convict labor, makes,		punishment	6976
when	8562	tax list, false, of property, is	6970
discipline, maintains	8550	witness to establish, bound over when	6973
duty on death of inmate	8592		
oath	8533	PERPETUATING TESTIMONY.	
proposals, opens	8530	costs paid by whom	5713
regulations for visitors, establishes..	8535	deposition authenticated how	5709
qualifies how	8533	effect of	5712
records, contents	8543	used, may be, when	5711
keeps	8535	examination made how	5709
residence	8531	interrogatories settled how	5709
reward for escapes, pays when	8555	notice to parties expectant	5707
rules and regulations, establishes how	8536	officer's authorization to act	5708
salary	8534	order allowing, provisions of	5707
warden, deputy, absence forbidden,		papers filed evidence of what	5710
when warden away	8535	petition for, contents	5707
bond, conditions	8537	testimony taken on commission when..	5709
duties	8537		
powers and duties	8535	PERSONAL PROPERTY.	
residence	8531	(See <i>Property, Personal.</i>)	
PEOPLE.		PERSONS.	
who are	10	adults, definition of	2699
PERFORMANCE.		corporation law, governed by, when...	3260
(See <i>Obligations and Specific Perform-</i>		defined	7727, 7728
<i>ance.</i>)		minors, definition of	2698
PERISHABLE PROPERTY.		protection of self, force permitted in...	2719
appeals do not stay sale	5623	rights of, general	2713
attachments, inventory to be made....	5361	state, entitled to protection of	13
sale of in	5369	general rights over	5
executions, sale of, under	5531	PERSONS OF UNSOUND MIND.	
executor or administrator may sell	6429	asylum, placed in, when, how	2830
insolvency proceedings, in	6052	contract, cannot make	2708
PERJURY.		subject to rescission, when	2707
acts constituting	6962	corporate stock represented by guardian	2872
affirmation deemed oath	6963	crime, incapable of committing, when	6814
commitment, summary	6972	damages, exemplary, when subjected	
conviction of, disqualifies as witness...	6977	to	2710
defenses, incompetency of testimony		guardians appointed when	2814, 2815, 6550
not, when	6966	discharged	6582
irregularities, not	6965	petition for appointment	6549
deposition deemed complete when	6968	powers and duties of	6551
documents showing, retained when	6974	idiots, contracts, no power to make....	2706
evidence in prosecution for	7711	necessaries, liable for	2706
irregularities not a defense	6965	power, cannot delegate	2708
materiality not necessary when	6967	restoration, petition, contents	6552
		proceedings to declare	6552
		rights, cannot waive	2708

INDEX.

	Section.		Section.
PERSONS OF UNSOUND MIND.—		PLACE OF TRIAL.—Civil Actions.—	
— <i>Continued.</i>		— <i>Continued.</i>	
summons, how served on.....	5252	penalty imposed by statute.....	5242
wills of.....	2708, 3639	personal property distrained, for recovery of.....	5241
wrongs, liable for.....	2709	public officer, action against.....	5242
PERSONAL RELATION.		real property or interest in, for recovery of.....	5241
offenses against, enumerated.....	2718	tried where commenced unless change demanded.....	5244
PETIT JURY.		pleadings, furnished to court.....	5424
(See <i>Jury.</i>)		Criminal Actions.	
PHARMACISTS.		change of, application by the state....	8122
acting as, unlawfully.....	7280	bail required when.....	8115
acts of, constituting misdemeanor 7303,	7304	granted when.....	8112
assistants, who entitled to registry as..	288	petition, notice, time.....	8111
certificate, cancellation of.....	285	prejudice of judge, procedure.....	8120
posted conspicuously, to be.....	289	local.....	8110
license not necessary when.....	7281	preliminary examination, on.....	7953
life, negligently endangering.....	7302	procedure.....	8110-8122
poisons, regulations for selling.....	7282	change ordered, clerk's duty.....	8113
registry, who entitled to.....	286	defendant in custody, procedure....	8114
PHYSICIANS.		jurisdiction of court.....	8121
asylum for poor, appointed for.....	1497	pleadings transmitted how.....	8117
coroner's inquest, as experts at.....	2022	prosecuted by whom.....	8121
fees for post mortem examination.....	2089	witnesses, notice to.....	8116
exemptions in actions for.....	5526	subpoena for.....	8116
intoxicated, administering poison.....	7250	larceny of property without state.....	7460
causing death.....	7092	magistrate.....	7953
jury duty, exempt from.....	441	one of several defendants, by.....	8119
license, must file.....	278	prize fight.....	7351
penalty for practicing without.....	280	PLATS.	
practice without, who may.....	279	general provisions.....	2418-2428
required.....	277	town and city.....	2418-2436
prescriptions of, excepted from pharmacy law.....	7283	vacation by declaration.....	2432-2436
report to local board of health.....	263, 264	district court, by.....	2429-2431
witnesses, privileged as.....	5703	PLEADINGS.	
PIERS.		Civil Actions.	
interfering with, etc.....	7576	accounts.....	5282
PILES.		allegations admitted if not denied....	5292
removing or injuring.....	7578	denied, what deemed.....	5292
PLACE OF TRIAL.		amended, must be served.....	5996
Civil Actions.		amendments, delay, for, stricken out..	5296
cases, all other not enumerated.....	5243	demurrer overruled, after, on terms	5296
change by court for what causes.....	5244	judgment, before and after, extent of	5297
demand for, made when.....	5244	of course without costs.....	5296
made on defendant's demand.....	5244	reference, on.....	5460
transfer of papers after.....	5245	variance, in cases of.....	5293, 5294
foreclosure of mortgage of real property	5241	answer, (See <i>Answer.</i>)	
forfeiture imposed by statute.....	5242	complaint, (See <i>Complaint.</i>)	
insurance on property, for recovery of..	5241	conditions precedent, performance	
partition of real property.....	5241	pleaded how.....	5286

INDEX.

PLEADINGS.—Civil Actions.—Continued.	<i>Section.</i>	PLEADINGS.—Criminal Actions.—Continued.	<i>Section.</i>
construed liberally	5283	answer, time allowed for	8080
counterclaim, (See <i>Answer and Counterclaim.</i>)		complaint defined	7881
action to quiet title	5911	made by whom	7887
criminal prosecutions, cannot be used in	5281	statements contained in	7886
defects, trivial, disregarded	5300	conspiracy, overt acts alleged	8194
defendant's, are what	5267	counts and forms of	8042
name unknown	5299	demurrer, defendant may put in	8089
definite and certain, required to be made	5284	grounds of	8091
demurrer, (See <i>Demurrer.</i>)		objections taken by	8099
discharge in insolvency	6085	requisites of	8092
filing required	5731	embezzlement	8055
forfeited goods, statutory	5788	errors in form disregarded	8048
forfeiture by ordinance, by-law, etc	5791	forms	8037
statute, by	5787	prescribed by code	8037
forms of, abolished	5265	forgery, instrument destroyed	8053
improper matters stricken out on motion	5284	indictment, (See <i>Indictment.</i>)	
incorporation, averment	5753	informalities in	8423
instrument for payment of money only, complaint	5286	information, (See <i>Information.</i>)	
joint debtor summoned after judgment	5637	injury to person	8044
judgment	5285	judgment	8050
libel or slander	5288	larceny	8055
lost, copy filed	5735	libel, extrinsic facts	8052
partition, answers	5801	obscene literature	8056
complaint	5796	owners, one or more	8057
possession, distrained property, answer	5290	perjury	8054
slander or libel	5288	pleas, acquittal on merits	8107
statute, private	5287	acquittal for variance	8106
subscription of	5280	guilty, defendant in person puts in	8102
sufficiency of, how determined	5265	withdrawal of	8103
supplemental	5301	jeopardy, once in, not allowed, when	8199
time limited, allowed after	5298	kinds of	8100
time for, may be enlarged	5298	not guilty, entered on refusal to plead	8109
variance, failure of proof deemed, when material, amendment on terms	5295	puts what in issue	8104
deemed when	5293	showing permitted under	8105
not, amended without costs	5294	oral, form	8101
verification omitted when	5281	time for putting in	8090
person who may make	5281	statements, what not required	8049
requisites	5281	statute, private	8051
subsequent, must have, when	5280	sufficient when	8047
		time	8043
		words construed how	8045
		statutory, need not be strictly pursued when	8046
County Court.			
issue raised how	6226	PLEDGE.	
requisites of	6225	contracts, what deemed	4745
(See <i>Court, Justice's.</i>)		defined	4744
Criminal Actions.		deposit with pledge holder	4751
answer made how	8081	foreclosure by action, (See <i>Foreclosure, Liens on Personal Property.</i>)	
		judicial sale, by	4769

INDEX.

	<i>Section.</i>		<i>Section.</i>
PLEDGE.—Continued.		POLICE.—Continued.	
increase pledged with property	4747	railway, appointed by whom	7942
invalid until property delivered	4746	arrests by, procedure	7944
lien dependent on possession	4746	company liable for acts of	7947
subject of	4748	conductor may act as, when	7941
person allowed to assume apparent ownership, by	4749	powers of	7943
pledgee can purchase property how only	4768	(See <i>Officers, Peace.</i>)	
liabilities and duties of	4755	POLICE MAGISTRATE.	
pledge holder, gratuitous, how exoner- ated	4753	(See <i>Cities, 2193-2208.</i>)	
gratuitous, liabilities and duties ...	4756	POLL TAX.	
liabilities and duties	4755	militia exempt	1420
pledgee's rights, must enforce	4754	road purposes	1098, 1122, 1217
rights on misrepresentation of value	4757	school purposes, for	722
reward, for, cannot exonerate himself	4753	POOLS.	
property pledged for another with- drawn, how only	4752	(See <i>Trusts, Pools and Combina- tions, 7480-7484.</i>)	
sale authorized when performance due	4758	POOR.	
demand as condition to, waived how	4761	allowance for support	1480
made when, if necessary	4759	appeal to district court when	1483
evidences of debt, of what forbidden	4764	book to be kept by whom	1482
made how	4763	children, overseers to bind out	1498
notice, actual, of time and place to pledgor	4760	complaint in behalf of	1481
notice may be waived	4761	county to relieve	1477
order of pledgor, by, pledgee may re- tain what	4767	nonresident sick or dying	1494
pledgor may require, when	4765	overseers, accounts, submit when ...	1493
proceeds, how disposed of	4766	appeal when	1487
waiver of notice, what not ...	4761	heard when	1488
security for another's obligation, as ...	4750	charge of, have	1479
POISON.		compensation	1492
administering with intent to kill	7114	duties	1481
animals, administering to, felony	7558	insane, unlawful confinement of ...	7276
drink, mixing with, willfully	7251	removal of, when	1490
food, mixing with, willfully	7251	suits for or against	1476
laying out, punishment, exception ...	7306	pauper, bringing into county, penalty	1510
physician, intoxicated, administering ..	7250	removing from county, unlawful ...	1508
physician's prescriptions label not re- quired	7283	removing, penalty	1509
sales, record of, by druggist ...	7303	relief, temporary when	1485
record of, inspection	7305	removal of	1490
required when	7284	amendment of defective order	1489
violating law regulating	7285	procedure	1486
selling certain, regulating	7282	residence acquired how	1478
POLICE.		children, of	1478
neglect of duty, misdemeanor, when ..	7354	married women, of	1478
organization under special statutes ...	7782	uncertain, what	1484
prize fights, duty as to	7353	return to county auditor	1491
public meetings, attendance required when	7783	settlers, needy, appropriation for ...	1511
		appropriation for expended by whom	1511
		relief of	1511
		support of	1475
		tax for support	1505

INDEX.

	<i>Section.</i>		<i>Section.</i>
POOR FARM.		POWERS.—Continued.	
assessment of tax to purchase	1499	authorized, what	3402
board of visitors appointed how	1506	beneficial, defined	3409
compensation	1507	subject to creditor's claim	3454
children, education of	1503	valid when	3448
education required when	1502	changed into fee when	3442-3445
discontinued when	1504	charge beyond authority, valid how far	3435
election to purchase	1496	classified	3406
paupers sent to	1500	conditions, trivial, disregarded	3429
physician, appointment	1497	convey, etc., to, revoked how	3596
purchase authorized when	1495	creation, limited to those specified	3455
superintendent, bond	1501	married woman capable of	3421
duties	1496	mode of, only	3415
PORT WARDEN.		persons capable of	3413
assuming to act as	7301	incapable of	3420
POSSESSION.		defined	3404
adverse, actual occupancy deemed,		disposition beyond authority, valid how	
when	5194	far	3435
deemed, what acts are	5193	enforceable for parties interested	3456
occupation under claim not written,		though trustee has option	3457
what acts deemed	5195	execution by all in whom vested	3424
written instrument, under, deemed	5192	conditions of author imperative	3430
change of, not necessary to mortgage ..	4699	trivial, disregarded	3429
counterfeit note, etc., of, with intent to		consent to, how expressed	3431
defraud, forgery	7423	consent to, if several	3432
estate of decedent, administrator,		creditors, for, adjudged when	3462
belongs to	6372, 6466, 6469	defective, proper execution adjudged ..	3463
executor, belongs to	6372, 6466, 6469	purchaser's rights	3439
mortgagee entitled to, when ..	4714	district court, by, when	3461
entitled to, when not	4714	formalities unnecessary	3428
pledge, lien of, dependent on	4746	grant, by	3426
property, personal, recovered how	5022	instruments valid without recital	3433
real, presumed from title	5191	void, not, for insufficient	3427
recovered when and how	5021	will, by	3425
tenant, of, deemed, of landlord	5196	written instrument, only by	3423
term of, for purposes of administra-		fraud affects, how	3440
tion	6375	general, defined	3407
POSTAL RIGHTS OF INSANE.		in trust, when	3411
(See <i>Hospital for the Insane, 1533-</i>		grantor deemed owner, when	3447
<i>1535.</i>)		holder defined	3405
POSSIBILITY.		persons who may be	3414
mere, not interest in property	3299	instruments in execution of, convey-	
POSTPONEMENTS.		ances	3434
(See <i>Court, Justices'.</i>)		in trust defined	3410
POWERS.		irrevocable when	3417
absolute, when deemed	3446	laws, other, governing	3464
alienation, suspension of, period how		lease, to, extinguished how	3451
computed	3436	transferable when	3450
attorney, of, not included	3403	void how far	3449
author defined	3405	legality determined by conditions at	
		creation	3437
		lien, when	3418
		married woman, to, what valid	3441

INDEX.

	<i>Section.</i>		<i>Section.</i>
POWERS.—Continued.		PRAIRIE FIRES.—Continued.	
married woman, power of, as to	3438	setting, forbidden when	1654
minor cannot delegate	2701	misdemeanor, when	7314
mortgage, effect on	3453	punishment for	1654, 7315
extinguish, does not	3452	spreading carelessly or negligently per-	
persons of unsound mind cannot dele-		mitting, penalty	1656
gate	2708	tools and appliances to prevent, fur-	
reservations, grantor may make	3416	nished how	1663
security, deemed part of, when	3419	PRELIMINARY EXAMINATION.	
shares equal when	3458	accused held to answer, procedure	7966
special, defined	3408	adjournments of, length of	7954
in trust, when	3412	bailable, crime not, indorsement on	
subject to creditor's claim	3454	complaint	7967
valid when	3448	indorsement on complaint	7968
trustees, death of, execution adjudged	3460	charge, accused must be informed of..	7950
discretionary power	3459	corporations, on complaints against	
trust, in, passes property, if valid	3393	8413-8421
prohibited, not	3392	crime committed out of county, pro-	
trust valid as, when	3391	ceedings	7906
POWER OF ATTORNEY.		counsel allowed accused	7951
conveyance, is not	3595	commitment, adjournment, pending...	7955
employee, gratuitous, under, must act	4100	form, crime not bailable	7971
mortgage, to execute, must be written	4711	form, examination, for	7956
powers, law concerning, does not affect	3403	procedure on	7970
real property, to transfer, must be writ-		complaint must first be read to accused	7957
ten	3531	costs, if prosecution malicious	7965
revoked how	3596	county court, jurisdiction increased, in	6606
PRAIRIE FIRES.		discharge granted accused when	7964
cattle ranch, damages to	1661	persons, all excluded when	7959
damages, accidental	1656	place of trial, change of, grounds	7953
proof necessary to establish claim...	1662	procedure before magistrate	7957
extinguish, failure to, penalty	1659	rights, accused must be informed of..	7950
extinguished on day set, to be	1658	testimony taken at, disclosing, misde-	
fire breaks established how	1665	memeanor	7963
legal, defined	1668	disposition of	7962
work, failure to, penalty	1666	time for examination	7952
notice to	1666	waiver of, giving bail deemed, when...	7911
fire districts, county divided into	1664	witnesses, accused may produce	7961
mapped out how	1667	examination of, mode of	7960
fire guards, appropriation for	1670	reduced to writing on demand ...	7960
construction	1670	security, commitment for refusal to	
setting, for	1669	give	7975
fire wardens, bonds	1664	married woman or minor	7974
summons for fire work	1671	separated when	7958
grasshoppers, permitted to destroy	1657	subpœnas for, accused entitled to...	7957
liability for carelessly setting	1674	undertaking required when	7972
notice to adjacent settlers	1657	PRESENTMENT.	
penalty for disobeying summons	1672	defined	8011
permitted for certain purposes	1655	disclosing, misdemeanor, when	7030
railroad companies to burn weeds when	1673	found how	8024
road supervisors act as fire wardens...	1664	presented to court how	8025
setting fire to woods, penalty	1660	procedure on	8030

INDEX.

	<i>Section.</i>		<i>Section.</i>
PRESENTMENT.—Continued.		PRINTING.—Continued.	
warrant, bench, issuance authorized		publisher's affidavit as to qualifications	1805
when	8026	rates, legal	2099
issued by clerk	8027	writing includes	5137, 7723
form	8028	(See <i>Public Printing.</i>)	
service	8029	PRISON.	
PRESUMPTIONS.		defined	6956
bill of exchange, dishonor	4890	escapes from, aiding, by information,	
death from absence of seven years....	5701	etc	6951
domicile, as to, not applicable in divorce	2756	assisting, punishment	6950
depository, negligence, of, when	4017	attempts at, punishment	6949
directors of corporations as to knowl-		punishment	6947
edge and assent	7532-7534	(See <i>Jails and Penitentiary.</i>)	
gift presumed in view of death when ..	3559	PRISONER.	
grant delivered at its date	3516	defined	6957
hiring of lodgings for rent term	4083	escaping, rearrest	6946
realty, one year	4082	examination of	5660, 5661
innocence	8185	PRISONERS ON CIVIL PROCESS.	
intent to defraud every person misled	3943	appeals	6148
interest from loan of money	4060	costs, prison, creditor to advance	6146
legitimacy, child born in wedlock	2776	prisoner must pay, when	6144
child born after marriage dissolved..	2777	discharge, application for, every ten	
right to dispute	2778	days	6147
malice from injurious publication	7148	authorized when	6136
negotiable instrument, signature for		certificate of, form	6141
consideration	4867	exempts forever for same cause	6142
performance, partial, creditors' reten-		judgment remains against property	
tion of, involuntary, when	3796	after	6143
promise, joint and several	3917	plaintiff, by	6145
singular, in, by several	3918	hearing of application	6139
renewal of hiring	4084, 4085	notice of application	6137
servant presumed hired for what		service	6138
term	4124, 4125	oath of prisoner, form	6140
transfer, breach of agreement to	5026	PRIVILEGE.	
transfer of personality without change		(See <i>Witnesses.</i>)	
of possession, fraudulent	5053	PRIVILEGED COMMUNICATIONS.	
trust as to realty	3386	libel, civil	2717
trustee, transaction with beneficiary		criminal	7151-7153
fraudulent	4271	PRIZE FIGHT.	
uncertainty in contract, cause of	3912	challenge to	7349
writing presumes consideration	3880	acts constituting	7350
PRINCIPALS.		engaging in, misdemeanor, when	7348
agency, in, (See <i>Agency.</i>)		leaving state to engage in	7351
crime, who are in	6825	peace officers, to make complaint	7353
guaranty, in, (See <i>Guaranty.</i>)		neglect to complain, misdemeanor ...	7354
suretyship, in, (See <i>Surety.</i>)		place of trial	7352
PRINTING.		PROCEEDINGS AFTER JUDG-	
county, where done	1807	MENT.	
fees, bill of, to be posted, penalty	2105	affidavit that judgment is unsatisfied..	5635
newspapers qualified to do	1804		
penalty for illegal	1806		

INDEX.

	<i>Section.</i>		<i>Section.</i>
PROCEEDINGS AFTER JUDGMENT.—Continued.		PROHIBITION.—Continued.	
answer, what may set up.....	5636	operation of.....	6123
joint debtors originally unserved summoned	5633	peremptory writ to state what.....	6125
pleadings, further.....	5637	practice, law governing.....	6128
verification.....	5638	writs, kinds of	6125
summons, requisites of.....	5634	(See <i>Intoxicating Liquors</i> , 7593-7625)	
PROCESS.		PROMISSORY NOTES.	
amendments of, extent.....	5297	apparent maturity, payable at sight or on demand.....	4892, 4893
county court, jurisdiction increased ...	6596	bill of exchange converted into, when deemed, when.....	4961 4960
jurisdiction increased, service in other counties.....	6597	defined	4959
service, compensation.....	6616	delay in presenting does not exoner- ate	4942, 4962
mode	6616	exonerates indorsers when	4963
defined	5152	grace, days of, not allowed	4921, 4962
exhibited by officer when.....	2003	laws, other, applicable.....	4902
lost, copy filed	5735	(See <i>Negotiable Instruments</i> .)	
regular on face protects officer	2002	PROOF OF INSTRUMENTS.	
resisting during insurrection.....	6993	action for	3589
execution of.....	7347	certificate of, contents.....	3583
service, civil, cannot be served on elec- tion day.....	561	certificate, action to correct.....	3588
malicious on Saturday.....	6849	authentication	3586
limitation of prosecution.....	6854	former, code does not affect.....	3592
Sunday, on, prohibited	6846	handwriting, by, authorized when....	3581
United States, in territory under jurisdiction of.....	3, 4	requisites	3582
style of	5160	justice, before, authenticated by clerk	3587
PRODUCTS OF MIND.		knowledge required of officer.....	3580
letters, ownership, publication.....	3484	made by whom	3579
ownership, exclusive when.....	3479	officer's authority in taking.....	3591
joint products, of.....	3480	PROPERTY.	
subjects of	3479	In General.	
production, subsequent original.....	3483	accessions, owner owns.....	3316
publication, effect of.....	3482	acquisition, modes of, classified	3489
transfer.....	3481	agreement for sale of, in writing, when	3968
PROFANITY.		alienation, conditions restraining, void	3307
conviction, summary	6834	future interest suspended, void.....	3309
defined.....	6832	power of, suspended how long.....	3308
penalties collected how.....	6835	suspended, undirected income whose	3317
prosecution, limitation	6854	aliens may own.....	3277
punishment	6833	appurtenances defined	3273
PROHIBITION.		classified.....	3269
alternative, to state what.....	6125	control of, after owner's death ...	3741
appeals regulated how	6129	decedent's, embezzlement of.....	6374
defined.....	6123	defined	5135, 7726
issued and heard in vacation.....	6127	devised, incumbrance, effect of, on...	3669
issued when, by whom.....	6124	transfer, effect of, on	3668
laws, other, governing	6126	dispose of, who may.....	3277
new trial regulated how	6120	eminent domain, acquiring by	9
		escheats to state when	7, 3759
		fixtures defined	3272

INDEX.

	<i>Section.</i>
PROPERTY.—In General.—Continued.	
fraudulent conveyances of, misde-	
meanor	7511
guardian of, powers	2821
hold, who may	3277
income, accumulations directed for	
whom	3313
accumulations, what illegal	3312
void beyond minority	3314
defined	3322
governed by what	3311
undirected, who owns	3317
interests in, classified	3287
future, classified	3292
deemed created when	3323
defeated how	3319
defeated, when not	3320, 3321
defined	3289
law recognizes what only	3302
pass same as present	3298
posthumous children take	3297
suspending alienation, void	3309
future alternative contingent, defined	3295
future contingent, defined	3294
posthumous child defeats, when ..	3318
void for improbability, not	3296
future vested, defined	3293
limited, defined	3291
perpetual, defined	3290
possibility, mere, not	3299
present, defined	3288
land defined	3271
married women, right as to	2767
occupancy, acquisition by, period re-	
quired except against title	3490
period required to obtain title	3491
owner, all property has	3275
owns what	3316
ownership, conditions may be imposed	
on	3303
suspension of, period permitted . . .	3334
passes after owner's death how	3741
possibility, mere, not an interest	3299
products, owner owns	3316
protection of, what force may be used	
for	2719
sale, agreement for in writing, when ..	3958
state, ultimate right of, in	6
take, who may	3277
taxable, classified	1178
taxation, exempt from	1177
state may acquire by	8
transfer, husband or wife, by aban-	
doned, manner of	2773

	<i>Section.</i>
PROPERTY.—In General.—Continued.	
transfer, husband or wife, by aban-	
doned, set aside	2775
husband or wife, by abandoned,	
valid	2774
Personal.	
accession, acquisition by, admixtures	
of material	3504
material restored in kind or value	
paid	3506
principal part defined	3500, 3501
thing made from another's materials	3502
made from blended materials	3503
united inseparably	3499
willful use of materials	3405
damages for	3507
defined	3274, 5135, 7725
follows person of owner	3465
gifts, (See <i>that title</i> .)	3555-3562
good will defined	3486
property, is	3487
transferable	3487
law governing	3465
minor cannot contract as to, when	2701
product of mind, (See <i>that title</i> .) ..	3479-3484
sales, execution, (See <i>Execution</i> .)	5531-5538
thing in action, assignment no preju-	
dice to set-off, when	5222
damages, value in assessing	5012
defined	3466
judicial sale of, how made	5512, 5513
passes to whom, on death of owner ..	3467
transferable	3467
trade-marks are	3485
title deeds are	3488
transfer, agent, by, title passes	3554
executory agreement, by, title passes	
when	3553
title passes when	3552
unclaimed, sold for charges	4195-4197
using wrongfully, liability for	3507
Real.	
accession, acquisition by, fixtures	3492
islands in streams	3496, 3497
removal of banks	3494
riparian accretions	3493
stream abandoning course	3498
action for injury after transfer	3371
possession, for	3350
possession, for, (county court)	6466
quiet title, to, (county court)	6466
agreement for sale must be in writing	3960
sell, to, binds seller to what	3955

INDEX.

<i>Section.</i>	<i>Section.</i>
PROPERTY.—Real.—Continued.	PROPERTY.—Real.—Continued.
agreement, warranty, for usual cove- nants of, binds seller to what.	estates, years, for, rights of tenant.
3956	3364, 3365
alienation, suspension of, further de- fined.	years, for, suspension of ownership.
3335	3334
corporations, limitation on holding.	estates, termination of, notice of.
2859	3347
covenants implied from word grant.	re-entry after.
3539	3348
covenants running with land, bind only	will, at, by notice.
owner of whole estate.	3346
3789	grant, after acquired, passes by.
burden or benefit apportioned when.	3547
3791	conclusive against whom.
covenant for benefit of property.	3540
3786	condition, on, in effect, when.
further assurance.	3546
3787	fee simple title presumed.
limited to certain assigns when.	3545
3788	form of.
limited to those specified.	3537
3785	highway, passes title to.
owner liable while holding only.	3542
3790	proof of execution.
pass with estate.	3536
3784	reconveyance after defeat by condi- tion.
quiet enjoyment.	3548
3787	rents, etc., attornment unnecessary.
rent, for payment of.	3543
3787	seal of grantor unnecessary.
taxes, for payment of.	3536
3787	valid pro tanto.
warranty, covenant of.	3541
3787	hiring, (See <i>that title</i> .)
defined.	4080-4088
3270, 5135, 7724	incumbrances defined.
devise, purchaser's rights.	3549
3726	interest in, called estate.
estates classified.	3300
3325	law governing.
fee defined.	3324
3326	leases, term limited.
fee limited on fee.	3310
3337	minor cannot contract as to, when.
fee tail abolished.	2701
3327	nomenclature applies to personalty, how far.
declared fee.	3301
3327	owners, devise, by, remedies for rent.
freehold defined.	3306
3329, 3330	estate at will, rights of.
future, authorized.	3364, 3365
3337	estate for years, rights of.
future, may be limited how.	3364, 3365
3331	life estate, rights of.
vesting not prevented by unexe- cuted power.	3363
3345	obligations of, repairs, taxes, fences.
life, as remainder on years, when.	3378, 3379
3341	rights above and below surface.
future, authorized.	3372
3337	support of adjoining land, entitled to.
rights of owner.	3375
3363	transfer, by, remedies for rent.
void, what.	3366
3338	water not in definite stream, own.
remainder, conditional limitation.	3362
3342	use of streams of.
contingent on prior, in fee.	3362
3336	power in trust, if valid, passes.
contingent on years, when.	3393
3340	re-entry after termination of es- tate.
defined.	3348, 3350
3333	sale, agreement for, binds seller to what.
expectant on years.	3365
3337	agreement for, must be in writing.
remainder in fee valid as contingent limitation on fee.	3360
3328	sales, execution, (See <i>Executions</i> .) 5531-5538
remainder on life authorized.	servitudes, action to enforce.
3337	3359
limited to heirs, taken how.	burden apportioned on partition.
3343	3357
takes effect when.	created by whom only.
3344	3364
remainder on successive life.	easements attached, enumerated.
3339	3351
remainder on years, residue of term, must be for.	granted, enumerated.
3339	3352
takes effect when.	extent of.
3344	3356
reversion defined.	extinguished how.
3332	3361
will, at, chattel interests.	hold, who cannot.
3329	3355
years, for, chattels real.	tenement, dominant, defined.
3329	3353
	use of, by owner of future estate.
	3358

INDEX.

	<i>Section.</i>		<i>Section.</i>
PROPERTY. Real.—Continued.		PUBLIC INSTITUTIONS.	
transfer, corporations, by, how made	3532, 3533	(See <i>State Institutions.</i>)	
corporations, by, legalizing former ..	3534	PUBLIC MEETINGS.	
direct, must be	3383	disturbance of	6874
easements, passes and creates	3538	electors, preventing attendance	6876
made how only	3531	electors, preventing from assembling ..	6875
record or want of, (See <i>Record.</i>) ..	3594-3598	PUBLIC PRINTING.	
revocation	3601, 3602	accounts approved by whom	76
unlawful, (See <i>Transfers.</i>)	3599-3604	contractor's, how submitted	62
trusts implied by law permitted	3384	printing, for, how certified and paid	63
trusts in, prohibited	3383	bids, advertisement for	40
warranties, agreement for usual cove-		made how	43
nants of, binds to what	3956	opening	44
lineal and collateral abolished	3544	received when	74
wills, after acquired title passes by ..	3683	binding of documents and laws	52
PROSECUTION.		bond to accompany bid	43
compounding, punishment	6998	classes enumerated	39
indictment or information, must be		first, how done	45
by	7745, 7979	second, how done	46
state, to be in name of	7747	third, how done	47
PROSTITUTION.		fourth, how done	48
abduction of female for	7166	contracts awarded to lowest bidder	44
inveigling to house for	7165	awarded to lowest bidder, when not	51
PROTEST.		canceled when	51
fee for	468	extended when	53
made by whom and how	466	commissioners, employment of expert	49
notice of, record	469	persons composing	38
service	467	rejection of inferior printing	54
(See <i>Bills of Exchange.</i>)		delay, penalty for	51
PROVISIONAL REMEDIES.		governor's messages, how printed	58
enumerated	5302	journals, copy furnished printer	56
PROXY.		number printed	60
corporate elections, must be in writing	2895	printed daily	55
insurance companies, mutual	3107	laws, copy furnished printer	56
county mutual, prohibited	3146	number printed	60
use of, misdemeanor, when	6899	printed how	48
PUBLIC BUILDINGS.		paper, price of, maximum	41
doors in, to swing out	1719	quality	42
width of	1719	weights and grades, how approved ..	42
injuries to, felony	7379	prices for, maximum	41
insurance of	1027-1029	proposals for bids	40
law applies to what	1720	qualifications for doing	50
penalty for violation	1721	reports of state officers, how printed ..	59
PUBLIC CREDIT.		supervised by commissioners	61
protection of	1355	PUNISHMENT.	
PUBLIC HEALTH.		acts punishable in another state	7685
quarantine regulations, violating	7292	acts punishable in different ways	7684
vessel, landing from before visit of offi-		assault with intent to commit felony ..	7128
cer	7294	kill, with intent to, generally	7116
violating regulations of	7293	attempts to commit crime	7694, 7695
(See <i>Boards of Health.</i>)		conviction must precede	6806, 7744
		court determines, when	6909

INDEX.

	<i>Section.</i>		<i>Section.</i>
PUNISHMENT.—Continued.		PURCHASER.—Continued.	
crimes, second offense.....	7696, 7698	rents, entitled to, on judicial sale, when	5549
disfranchisement included in, when ...	6890	rights of, at sheriff's sale.....	5538
duress exonerates from, when.....	6818	title not affected, if judgment reversed	5553
embassadors, etc., not liable to.....	6823	value, for, grant to, operates as revoca- tion of former grant when.....	3601
embezzlement, mitigation by restora- tion	7471	instrument intended to defraud void against.....	3599
enumerated	7741	privity to fraud, cures it	3600
evidence in aggravation or mitigation of	8292, 8293	transfer cannot be shown to be mort- gage against.....	4703
felony, generally.....	6811	trust, implied, cannot prejudice rights	3387
insane not subject to.....	8398	QUARANTINE.	
jury imposing, court may reduce, when fixes, for homicide.....	8247 7073	animals, domestic	1600
limits of, determined how.....	6810	board of health, local, to establish, when	270
misdemeanor, generally	6812	township, may order.....	2588, 2589
mitigation of.....	7688	laws regulating, violating	7292
omission of duty performed by another, none for	7692	order regarding, violating.....	7296
persons liable to.....	6813	vessel, visiting, without permission... (See <i>Boards of Health.</i>)	7295
persons liable to, in this state	7857	QUIETING TITLE.	
second offense, first conviction not in state.....	7699	action to determine adverse claim authorized	5904
verdict, fixing, duty of court.....	8246	complaint, description of property in..	5906
PURCHASER.		costs on disclaimer or default.....	5905
administrator cannot be.....	6428	defendants, joinder of.....	5907
administrator, from, required to give bonds when	6457	order for entry, contents, service.....	5915
damages, recovers, for waste when....	5916	findings, separate as to what....	5912
executor cannot be	6428	improvements counterclaimed when... judgment, provisions of.....	5910 5913
executor, from, required to give bonds when	6457	order for entry, contents, service.....	5915
good faith, in, devise does not impair rights of, when.....	3726	right failing after action.....	5909
lien dependent on possession extin- guished as to, when	4698	parties to action.....	5907, 5908
mortgage not lien against	4713	plaintiffs, joinder of	5908
mortgage, personalty, invalid as to, unless refiled.....	4737	surveys, entry granted for	5914
void against, unless filed.....	4733	trial, how conducted.....	5912
unrecorded grant void against.....	3594	QUO WARRANTO.	
specific performance not enforced against.....	5053	action authorized in place of writ....	5741
transfer of personalty without posses- sion presumed fraudulent.....	5053	arrest of officer usurping	5745
mortgagee may be.....	5852	claimant takes office when.....	5747
record of instrument, notice to subse- quent	3597	complaint for usurping office	5745
mortgage on realty, of, notice to sub- sequent	4728	contempt, defendant punished for, when	5748
referee cannot be.....	5826	corporation, not duly incorporated, against	5743
relief of, from defective execution of power.....	3430	costs, security to state for, when.....	5744
		damages for usurpation, recovery of... joinder of several claimants.....	5749 5750
		judgment against usurping officer	5746, 5751
		jurisdiction of supreme court in	5165

INDEX.

	<i>Section.</i>		<i>Section.</i>
QUO WARRANTO—Continued.		RECEIVERS.—Continued.	
officer, usurping, etc., against	5743	powers	5406
officer, whose office is forfeited, against	5743	qualifications	5405
plaintiff, who is	5742	supplemental proceedings, in	5568-5570
refusal to deliver books, etc., misde-		undertaking from applicant when	5404
meanor	5748	undertaking of, conditions	5405
RACING.		RECORD.	
animals used for, forfeited	7245	acknowledgment or proof necessary to	3564
court, near, misdemeanor	7020	affidavit of publication, foreclosure by	
highway, on	7330	advertisement	5862
RAILROAD COMMISSIONERS.		attachment, levy on real property	5362
(See <i>Commissioners of Railroads.</i>)		certificate of sale, execution	5638
RAILROADS.		foreclosure by advertisement	5853
(See <i>Corporations, Railroad.</i>)		complete, deemed, when	1961
RANGE.		conveyance (recording laws) defined	3595
stock, willfully driving from	7508	criminal action, constituted of what	8269
RAPE.		papers, what constitute	8297
accused under fourteen	7157	effect of prior	3594
crime of, complete when	7158	false, preparing, felony, when	6980
defined	7156	fees to be indorsed on instrument	3567
degree, first, defined	7159	homestead, declaration of	3623
first, punishment for	7161	insolvency, assignment in	6036
second, defined	7160	instruments deemed recorded when	3568
punishment for	7162	entitled to, enumerated	3563
RATIFICATION.		false, offering for	6961
contract voidable, made valid by,		judgment, proving	3590
when	3864, 3865	numbered by register of deeds	1958
(See <i>Agency.</i>)		prior to code	3593
REAL PROPERTY.		proved, entitled to	3565
(See <i>Property, Real.</i>)		unrecorded, valid as to whom	3598
RECEIPT.		judgment correcting certificate	3590
canceled, must be, when	7545	made by whom	3567
carrier issuing false, punishment 7540, 7543		unorganized counties, in, how	3569
debtor's right to	3813	mortgages, assignments of, entitled to	4716
negotiable instrument, payer entitled		discharge of	4718-4723
to, when	4894	effect of	4728
officers, for money taken from persons		entitled to	4727
arrested	8429	notice, constructive, of execution	3597
warehouseman issuing] false, punish-		order of sale of homestead	3635
ment	7541, 7543	partition, conveyance in	5830
RECEIVERS.		partnership, special, certificates of dis-	
appointment, provisional remedy	5302	solution	4440
cases in which appointed	5403	certificate of formation	4419, 4424, 4438,
corporations, appointed in actions		4439
against, when	5765, 5770, 5779, 5780	poison, sale of, subject to inspection	7305
embezzlement, guilty of, when	7464	sold at retail, kept	7284
investment of funds	5407	prerequisites to	3564
oath	5405	public, destroying	6960
		destruction by custodian	6959
		falsifying by custodian	6959
		stealing by custodian	6959
		railroad corporations, conveyances	2958
		real property, instruments affecting	3563

INDEX.

	<i>Section.</i>		<i>Section.</i>
RECORD—Continued.		REFERENCE.—Continued.	
receiver, order appointing	5569	foreclosure, in, to view premises, etc...	5877
reception book, contents of	1959	ordered to whom	5457
redemption, certificate of	5545	partition, in, to examine liens, etc. .	5804, 5805
register of deeds, penalty for alteration	1961	real estate, to partition.....	5808-5810, 5840
revocation of power to convey.....	3596	referees, bribes, receiving, punishment	6937
separate for grants and mortgages....	3570	contempts punished how	5460, 5952
taxes paid before instrument filed for	1325	fees	2090, 5455
transfers by way of mortgage entitled		bill of, to keep posted, penalty	2105
to	3566	gifts, accepting, misdemeanor.....	6939
unorganized counties, made how in...	3569	intimidate, attempts to	6999
RECRIMINATION.		influence, attempts to.....	6941
divorce denied on showing.....	2744, 2750	misconduct of, what is.....	6938
REDEMPTION.		oath	5461
execution sale, certificate of, to debtor	5545	objections to, heard by court.....	5459
certificate of, record.....	5545	grounds	5458
debtor, by, effect of	5545	powers of, on trial	5460
evidence of right must be produced..	5547	supplementary proceedings, when or-	
notice of taxes or lien to sheriff.....	5543	dered	5571
notice of, in writing to sheriff.....	5543	trial conducted how	5460
payments for, made to whom	5546	exceptions taken how	5466
required to be made on	5541	REFORM SCHOOL.	
persons who may make	5540	accounting officer	309, 313
redemptioners defined	5540	accounts, method of keeping, (See	
entitled to deed when.....	5544	State Institutions.).....	309-321
produce what documents	5547	board of trustees appointed how.....	8518
rents, entitled to, when.....	5549	appointment, consent of senate requi-	
rents to be accounted for on demand	5549	site	8519
action for accounting as to.....	5549	bond, approval.....	8520
received, credited on payment for..	5549	filed where.....	8520
successive by different redemptioners	5542	compensation	8521
time for, extended when.....	5549	compensation and expenses paid how	8521
time in which to make	5541, 5544	contracts, not to be interested in....	8526
foreclosure of chattel mortgage.....	5894	duties of	8523
mortgage of realty by action.....	5881	members, no more than two from	
advertisement, by	5854, 5855	same county.....	8519
judgment for taxes, when and how....	1283	number of members	8519
liens, from	4691-4693	oath	8520
tax sale.....	1264	president.....	8522
warrants, of, how made.....	1310	proposals for supplies opened when	
RE-ENTRY.		and by whom.....	8530
action for, without notice.....	3350	powers as to.....	8530
estate at will, after termination.....	3346	records.....	8522
notice of, required.....	3349	attested how	8522
REFERENCE.		open to inspection.....	8525
affidavits, to take	5718	pay suspended, until when.....	8589
amendment of pleadings	5460	reports, contents of	8524
consent, by	5455	general.....	8524
damages, to assess.....	5347, 5413	special	8524
elections, contest of	569	salaries of officers, fix	8578
findings, how made and reported.....	5460	sessions	8521
		term of office.....	8518
		vacancy filled how.....	8519

INDEX.

	<i>Section.</i>		<i>Section.</i>
REFORM SCHOOL.—Continued.		REFORM SCHOOL.—Continued.	
board of trustees, visiting trustee, ap- points.....	8522	officers and employees, persons who are	8575
visiting trustee, duties.....	8522	process served how and by whom.....	8517
commitment, fees for.....	8585	property, superintendent custodian of	8528
order, contents.....	8584	purposes.....	8515
execution.....	8585	storekeeper, duties.....	317
return.....	8585	superintendent, appointment.....	8576
none until proclamation.....	8589	bond, conditions of.....	8577
papers filed where.....	8586	duties.....	8579
persons who may be sent.....	8581	funds of inmates, as to.....	311
complaint, incorrigible child, procedure on.....	8583	oath, filed where.....	8577
contracts approved by whom.....	8528	proposals, opens.....	8530
made by whom.....	8528	qualifies how.....	8577
officers and employees not to be inter- ested in.....	8526	records of.....	8579
superintendent makes.....	8528	rules and regulations, establishes how.....	8579
courts of Morton county have jurisdic- tion.....	8516	salary.....	8578
district court, persons may be commit- ted by.....	8581	supplies, notice of proposals.....	8529
procedure to commit.....	8581	yearly contract for.....	8529
commitment in inferior court.....	8582	treasurer.....	310
governor proclaims school open when	8589	REGISTER OF DEEDS.	
inmates, aiding escape, penalty.....	8588	acknowledgments, may take.....	3574
dead, disposition of money and ef- fects.....	8597	attachments, duty as to.....	5362, 5380
effects sold.....	8597	blanks, to provide at expense of county	308
death, proceedings.....	8592	brand applications, forwards to secretary of state.....	1539
discharge for good conduct.....	8587	certificate of mine location, to record..	1441
funds, duty superintendent as to....	311	chattel mortgages, duty to receive, file, etc.....	4739
insane, disposition of.....	8590	filed, duty as to.....	4740
refractory, proceedings.....	8587	deputy, bond.....	370
inquest, burial of body.....	8595	provisions for, and salary.....	370, 2078
expenses of, paid how.....	8596	responsible for acts of.....	370
held when.....	8592	duties, generally.....	1952
open to the public.....	8593	instruments, as to, when filed.....	1960
procedure in.....	8594	refusal to perform, misdemeanor	7363, 7368
return of.....	8595	farm laborer's liens, duties as to.....	4828
testimony, whose required.....	8594	fee book, keeps.....	2076
inventory of personal property, con- tents and disposition of.....	8527	fees, advance, may require in.....	2104
made when and by whom.....	8527	bill of, to keep posted.....	2105
jurisdiction of, courts of Morton county have.....	8516	generally.....	2079, 4828
location.....	8515	mine location, for recording certifi- cate.....	1441
offenses committed therein, jurisdiction of.....	8516	plats of town or city, recording.....	2425
officers and employees, appointment..	8576	reported monthly.....	2076
contracts, not to be interested in....	8526	indexes, grantor and grantee required	1956
duties.....	8580	kept by.....	1954, 1957
jury duty, exempt from.....	8517	numerical, form of.....	1955
oath.....	8577	separate, of deeds and liens.....	1957, 1958
		instruments numbered by.....	1958
		records what.....	1952
		time of filing indorsed on.....	1952
		jury duty, exempt from.....	441

INDEX.

	<i>Section.</i>		<i>Section.</i>
REGISTER OF DEEDS.—Continued.		RELIEF.—Continued.	
liens filed, duty as to	4846	rescission of contracts, (See <i>Con-</i>	
oaths, may administer	460	tracts.)	5038-5040
patents issued by governor, to record..	206	revision of contracts, (See <i>Con-</i>	
plats, duty on vacation of	2435	tracts.)	5034-5037
reception book kept by	1959	specific delivery compellable	5023
record, complete when	1961	specific performance of obligations, (See	
made how, foot notes	1952	<i>that title.</i>)	5024-5033
instruments, duties as to	3567	RELIGIOUS BELIEF.	
penalty for alteration	1961	acts enjoined by, preventing	6851
salary	2075	time to prosecute limited	6854
deficiency in, how provided for	2077	attempts to compel	6850
seal of	1853	time to prosecute limited	6854
REGISTRATION.		RELIGIOUS CORPORATIONS.	
animal, wrongful	7267	(See <i>Corporations, Religious, Etc.</i>)	
voters, of, (See <i>Elections.</i>)	607-621	RELIGIOUS MEETING.	
RELATIVES.		disturbance of	6852
half blood, of, take by succession, when	3751	acts deemed	6853
marriages between what, prohibited..	2722	time to prosecute limited	6854
protection of, force which may be used		REMAINDER.	
in	2719	(See <i>Property, Real.</i>)	
sister, orphan, seduction of, forbidden	2718	REMEDIES.	
RELEASE.		civil, not affected when	7733
(See <i>Obligations.</i>)		civil and criminal, not merged	5161
RELIEF.		courts, in, classified	5155
In General.		REMOVAL FROM OFFICE.	
cases in which given	4969	(See <i>Office, Removal From.</i>)	
compensation is, for what	4969	RENT.	
compensatory, (See <i>Damages.</i>)	4971-5016	acceptance renews lease when	4084
forfeiture, from, granted when	4970	dependent on life, recoverable when ..	3370
persons confined on civil process, (See		forfeited by double letting of room	
<i>Prisoners on Civil Process.</i>)	6136-6148	when	4088
Preventive.		lease for life, recovered how	3369
final injunction granted when	5045	payable when	4086
given how	5019	payment to grantor protected when ..	3543
granted by injunction	5043	purchaser entitled to, when	5549
injunctions not granted when	5046	receiver entitled to, when	5406
provisional, regulated how	5044	redeptioner entitled to, when	5549
limited to special cases	5017	remedies for recovery of, by assignees	3367
penal law, not granted to enforce, ex-		REPAIR.	
cept	5020	borrower must, when	4046
Specific.		hirer must, when	4073
cancellation of instruments, (See		personalty, may repair when	4091
<i>that title.</i>)	5041, 5042	lessee may, or vacate, when and how ..	4081
given how	5018	lessor, to fit building for occupancy..	4080
limited to special cases	5017	letter of personalty must, when	4089
penal law, not granted to enforce, ex-		REPEAL.	
cept	5020	effect of on penalties, liabilities, etc... 5142	
recovery of personal property, for	5022	former act, does not revive	5141
real property, for	5021		

INDEX.

	<i>Section.</i>		<i>Section.</i>
REPLY.		REPRIEVES.	
allegations deemed denied, what.....	5292	(See <i>Pardons</i> , 8431-8442.)	
answer, to part of, demurrer to residue	5277	REQUISITION.	
counterclaim, to, required.....	5277	(See <i>Fugitives from Justice</i> .)	
defense, court may require, to, when ..	5277	RESCISSION.	
demurrer to	5279	contract, (See <i>that title</i>).....	3931-3934
judgment in default of.....	5278	contract of insurance, for breach of	
frivolous, on.....	5414	warranty	4510
required when.....	5277	concealment, for.....	4465
requisites of.....	5277	false representation	4483
supplemental.....	5301	fraudulent concealment.....	4472
time for.....	5277	person not entirely without understand-	
		ing, by.....	2707
REPORTER OF SUPREME COURT.		ratification of, in agency.....	4319
(See <i>Court, Supreme</i> .)		sale for breach of warranty.....	3988
REPORTS.		RESCUE.	
attorney general to governor	120	aiding, during insurrection	6993
banking corporations.....	3242	punishment for.....	6944
board of agriculture	168	RESIDENCE.	
board of trustees of public property....	155	divorce, time required for.....	2755
bridge corporations to county commis-		rules for determining	12
sioners.....	3170	RESISTANCE.	
building and loan associations.....	3216	force to overcome, on arrest.....	7921
commissioner of agriculture and labor	130	lawful when	7759-7761, 7763
insurance to governor.....	132	officer fearing, may command assist-	
railroads, contents	3010-3011	ance	7784
corporations, private, when, if no time		officer, of, in dispersing riot, felony....	7795
specified	72	(See <i>Self Defensæ</i> , 7760.)	
county superintendent of public health	246	RESPONDENTIA.	
failure to make, penalty.....	304, 306	defined.....	4783
fees of certain state officers	327	laws, other, governing contracts.....	4786
governor, to, made when.....	73	owner may hypothecate cargo for what	4784
insurance corporations to commissioner		owner of ship to repay owner of cargo	4787
of insurance, when	3119	shipmaster may hypothecate cargo	
legislative assembly, to, made when ..	73	when	4785
officers, municipal, when if no time		REVISION OF CONTRACTS.	
specified	72	(See <i>Contracts</i> .)	
road overseers, of, when.....	1143	REVOCATION.	
railway corporations to railroad com-		contract, proposal of, made how and	
missioners.....	3063	when	3862, 3863
state auditor to governor.....	98	gift, irrevocable	3557
board of dental examiners to gover-		view of death, in, allowed.....	3560
nor	298	grant is, if power of, reserved.....	3601
pharmacy.....	285, 290	grantor reserving power of, deemed ab-	
examiner to governor	144	solute owner	3447
officers, number of printed	59	guaranty, continuing, of, authorized	
treasurer, to board of university and		when	4641
school lands.....	175	power, of, allowed when.....	3417
governor	108	record required	3596
superintendent of public health	251	trust, of, made how and when	4296
supreme court, of, university entitled		will, of, (See <i>Wills</i> .)	
to fifty copies	895		
weather bureau, director of.....	150		
year begins when for purpose of mak-			
ing	72		

INDEX.

	<i>Section.</i>		<i>Section.</i>
REWARD.		RUSSIAN THISTLE AND FRENCH WEED.— Continued.	
(See <i>Fugitives from Justice.</i>)		blanks , county auditor to furnish.....	1716
RIGHTS.		complaint made, duty of sheriff	1694
civil, classification of	2696	county commissioners , compensation ..	1715
loss or waiver of.....	2696, 4968	duty to destroy	1689
personal , force to protect, what may be used	2719	expenses of, paid how	1713
general, what are.....	2713	failure to destroy, duty of sheriff	1696
injuriously used, not to be	5076	destruction of, county to pay when	1690
obligation arising from, transferable	3782	expense entered on tax list when 1691, 1692	
person of unsound mind cannot waive, when.....	2708	duty of certain officers to destroy.....	1688
relation, offenses against.....	2718	executive relief board appointed how ..	1690
RIOT.		consists of whom.....	1690
defined	7340	county commissioners, directions to, when.....	1690
endeavors to suppress, made before endangering life	7794	duties.....	1690
governor may call additional assistance	7787	expenditures controlled	1690
United States troops, for.....	7788	pay drawn how	1714
officers may command aid.....	7784, 7793	rules, establish	1690
order persons attending to disperse..	7789	vouchers filed where.....	1690
persons attending , arrested when	7790	failure or refusal to destroy, penalty for	1699
ordered to disperse	7789	failure to report to commissioners, penalty for.....	1688
punishment for.....	7341	firebreaks , unlawful to plow when.....	1712
continuing after notice to disperse..	7795	fund , composed of what.....	1704
refusing to arrest rioters.....	7346	constituted how	1703
remaining after purpose disclosed	7345	transfer by state treasurer when.....	1705
warned to disperse.....	7344	treasurer , custodian of.....	1706
rioters , who are deemed	7791	warrants draw interest when.....	1707
sheriff , fearing resistance, may command assistance.....	7784	justice of the peace , jurisdiction of....	1709
ROBBERY.		lands without thistle or weed, duty of owner	1700
conjointly committed.....	7126	neglect of duty by county commissioners, penalty for.....	1701
defined	7117	sheriff, penalty for	1701
degrees of, defined	7123	notice to owners or occupants to destroy served how	1691
first, punishment for.....	7124	nuisances , are	1687
second, punishment for	7125	owners or occupants to destroy.....	1691
fear necessary described	7120	planting or cultivating, penalty for....	1711
force , degree of, immaterial when	7119	payments from the United States secured how.....	1708
force or fear employed how, to constitute.....	7118	preference in employment given to whom	1710
taking secretly, not.....	7122	publication of notice to destroy.....	1695
value of property taken immaterial	7121	railroads to destroy thistle, notified how	1692
ROUT.		destroy on right of way, to.....	1692
defined	7342	neglecting to destroy, proceedings, when	1692
misdemeanor	7344	road fund for destruction, proceeds when used	1693
RUSSIAN THISTLE AND FRENCH WEED.		disposition of.....	1703
assessments against lands and railroads made how	1702	used to destroy when	1693
blanks , failure to furnish, penalty.....	1716		

INDEX.

	<i>Section.</i>		<i>Section.</i>
RUSSIAN THISTLE AND FRENCH WEED. --- <i>Continued.</i>		SALE.	
road overseers destroy on highways and U. S. land, how	1698	agent , by, having possession.....	3554
sheriff, compensation of.....	1715	agreement to buy defined	3952
destroys, when	1695	classified.....	3950
state lands, county commissioners to examine for	1697	realty, to give usual covenants, binds seller to what.....	3956
destruction on, expense paid how	1697	sell, to, binds seller to what.....	3955
tax, one mill, levied how.....	1703	sell and buy, to, defined	3953
warrants on state thistle fund draw interest when	1707	sell, to, defined.....	3951
		subject of, what may be	3954
SABBATH BREAKING.		acceptance , place of	3966
acts constituting	6840 6846	auction , bidder's rights at sale without reserve.....	3993
constituting, not	6841	bid withdrawn when and how	3991
day defined	6839	complete when	3990
defense, observance of another day ...	6842	conditions, printed, govern.....	3992
finer for, collected how	6848	defined	3989
exemptions from, none.....	6848	employment of bidder in, a fraud ...	3994
prohibited	6837, 6838	entry by auctioneer in sale book binding	3995
prosecution for, time limited	6854	buyer , inspection, right of.....	3987
punishment for	6847	pay price on delivery, to.....	3986
		remove goods in reasonable time, to..	3986
SALARIES.		rescission for breach of warranty ...	3988
affidavit as to per diem required	2107	conditional contract of , must be in writing and filed.....	4732
attorney general.....	121	contract of, damages for breach, (See <i>Damages.</i>)	4983-4988
board of agriculture.....	163, 164, 167	corporate stock , of, conduct of....	2926-2929
clerk of district court.....	2061	defined	3948
supreme court.....	385	delivery , demand, reasonable time after demand of, within reasonable hours..	3969
commissioner of agriculture and labor insurance	135	option as to, notice must be given....	3967
railroads	3006	place of	3965
university and school lands	180	form of contract , agreement to manufacture may be oral.....	3959
county auditor	2073, 2074	written, must be, realty	3960
commissioners.....	2095	written, when, personalty	3958
judge.....	2068-2072, 6615, 7596	oral , agreement to manufacture for sale, may be.....	3959
treasurer.....	2080	rescission , breach of warranty, for ... nonpayment, for.....	3988 3963
deputy.....	2081	seller , depositary for hire when.....	3962
governor	86	duty after sale.....	3964
judges of district courts	413	lien, may enforce, when, how.....	3963
supreme court.....	379	realty, conveyance, duty as to.....	3955
legislative officers and employees, how audited and paid	31	covenants, duty as to.....	3956
lieutenant governor.....	88	rescission of sale, when.....	3963
payable monthly to state officers	337	stoppage in transitu is not rescission of subject of, must be what.....	4851 3949
register of deeds	2075	title passes when	3552-3554
reporter of supreme court.....	395	transportation , buyer's directions govern	3968
secretary of state.....	96	risk, buyer's when	3966, 3968
state auditor	106		
board of pharmacy	290		
examiner.....	145		
treasurer.....	117		
state's attorney	2058-2060		

(See *Fees.*)

INDEX.

	<i>Section.</i>		<i>Section.</i>
SALE.—Continued.		SCHOOL DISTRICTS.—General.—	
transportation, risk, seller's when	3968	<i>Continued.</i>	
warranty, buyer relying on seller's judgment	3974	boundaries re-arranged by commissioners	660, 666
defined	3970	civil township may consolidate into, when	664
general, scope of	3985	formed into, when	667
good will, on sale of	3983	constituted how	658
implied, not, from mere sale	3971	contracts let on proposals when	774
instrument, on sale of	3981	corporation distinct from civil township district high school, when established and how controlled	659
judicial sale, on	3984	division and annexation of, to other districts	706
manufactured articles, one's own	3976	election, conduct of, and canvass of votes	662
particular purpose, for	3977	certificate of	676
merchandise, inaccessible	3978	judges and clerks, appointment of	677
property not in existence	3975	chosen how	671
provisions for domestic use	3982	list of persons elected sent to county superintendent	675
sample, bulk equal to	3973	notice of annual	677
title of personality	3972	posted	671
trade-mark, genuine	3979	polling places to be designated	671
truth of marks of quantity or quality	3980	polls opened when	673
writing required when	3958, 3960	violations of law relating to, penalty	706
		voters, qualifications of	672
SALVAGE.		funds, account of, how kept	713
persons entitled to	4173	designated and used how	712
SCALES, PUBLIC.		drawing from county treasury unlawfully	768
care and capacity of	1734	paid out how	686
county commissioners establish, when	1733	payment by county to district	718
weighmaster, appointment and bond	1735	use or loan of, is embezzlement	769
compensation	1737	furniture, school, removal unlawful	700
records	1736	indebtedness, equalization of, between districts	731
removal	1737	taxes, levy to pay equalized indebtedness	732
SCHOOL DISTRICTS.		maximum levy to pay equalized	733
General.		proceeds of equalizing, how disposed of	734
accounts with, to be kept by county treasurer	719	judgment, tax to be levied to pay	723
annexation of school corporation, petition, etc	663	named how	665
board of directors, annual settlement with treasurer	717	new districts, formation of, after county organization	661
annual settlement to be published by election and term of	670	officers, blanks, to provide at expense of district	308
taxes levied by	721	bond and oath, where filed	346
bonds, canceled, record of	782	clerk, duties and compensation	683
certificate by county auditor	778	elected by board	680
denominations, interest. limit of issue election to vote, notice of	776	vacancy, how filled	729
issuance of, in certain districts	784	directors, vacancy, how filled	728
mode	775		
negotiated how	780		
record of to be kept	778		
sinking fund to be provided	779		
tax levy for, by county auditor, when boundaries changed how	781		
	667		

INDEX.

<i>Section.</i>	<i>Section.</i>
SCHOOL DISTRICTS. — General. —	SCHOOL DISTRICTS. — General. —
<i>Continued.</i>	<i>Continued.</i>
officers, district school board, branches	taxes, assessed valuation furnished by
of study determined by..... 698	assessor 724
district school board, compensation	collected by county treasurer 720
of members 681	levy, adjusters, by, when..... 725
directors constitute..... 679	directors, by 721
duties of, generally..... 691, 694	made how..... 722
employs teachers 695	maximum 735
meetings 681	notice..... 721
organization..... 680	county auditor, to 699
president, duties of..... 682	uniformity required 723
pupils, suspend or expel 697	treasurer, accounts kept with each
quorum 679	fund 717
schools, establish..... 692	election and term of 670
taxes levied by 699	reports, annual, contents of..... 717
neglect of duty, penalty 765	settlement with board 717
qualifications..... 672	tuition, enumeration of pupils neces-
reports by, punishment for false 772	sary to share in..... 714
speculation in supplies, etc., misde-	warrants, indorsed when there are no
meanor 767	funds 687
treasurer, accounts of, how kept 713	specify, what to 688
action against for funds 770	water closets to be provided by board 874
bond of, action on..... 689	
additional, when required 685	Independent.
approval of..... 684	board of education, compensation of
books how kept 713	members 836
compensation 690	election 832
duties generally 686	meetings 837
warrants presented for payment,	member, refusal to serve, forfeiture.. 854
as to..... 687	powers of, generally..... 835, 846
payments, how made..... 713	taxes, to levy..... 839
warrants to be indorsed by, penalty	qualify how 835
for violation..... 771	quorum 832
vacancy 684, 728	secretary, duties of..... 838
vacancy, how caused 730	taxes, to levy..... 839
organization of..... 660	vacancies in, how filled..... 834
petition for organization 660	visit schools, to..... 847
plats and maps of, furnished to state	bonds, issuance of, authorized..... 842
auditor, etc..... 669	boundaries of..... 831
powers as a corporation generally..... 668	debts assumed by new district 855
pupils admitted from other districts... 696	division of when special district abol-
enumeration of, annually..... 707	ished 862
new district, by 714	elections, date, conduct of, and canvass 833
records of, open to inspection 708	expenditures not to exceed revenues.. 849
reports, clerk to make annually..... 707	funds, how kept and paid out 845
contents of 707	organization of..... 828
schoolhouse, board may permit use of,	election, notice of, ballots, etc.... 829, 830
when 700	organized by special act, abolished
construction, contract for..... 783	when 860, 861
sites, how located, etc 701	pupils, nonresidents may be admitted 848
obtained how 702	property not subject to liens 850
schools established when and how 703	real, how conveyed 851
	title vested where..... 850

INDEX.

	<i>Section.</i>		<i>Section.</i>
SCHOOL DISTRICTS.—Independent.		SCHOOL DISTRICTS.—Independent.	
<i>—Continued.</i>		<i>Continued.</i>	
taxes, amount of limited.....	841	taxes, levy, annual, by board.....	801
collected how	840	property subject to	800
treasurer, bond of.....	844	treasurer, bond.....	805
city, of, is treasurer of.....	843	custodian of funds.....	798
reports to board, contents.....	852	duties.....	804
water closets to be provided	874	water closets to be provided	874
Special.		SCHOOLS.	
adjacent territory, how attached	786	alcoholic drinks, etc., instruction as to effect of.....	648
board of education assumes control of property when	806	Bible, reading of, at option of teacher..	754
clerk of, duties.....	796	branches of study determined by board taught in, what	698 750
contracts, not to be interested in	792	child labor during school hours prohibited, penalty	762-764
election.....	790, 808	classification as high school, requisites for	869
meetings	793	high school board, by.....	868
oath of members	815	compulsory attendance, board to prosecute for violations	761
powers and duties, generally	797	exempt from, who are	759
president, duties	795	penalty for violation of law.....	760
quorum	791	course of study prescribed by superintendent	627
term of members	791	district boards, examine records of officers.....	307
vacancies, how filled.....	814	district high school, how established and controlled.....	706
bonds, contents of.....	818	disturbance of, penalty for.....	773
election for issuing, when and how..	817	English language to be taught exclusively	709
exchange of.....	825	established when and how	703
interest coupons, payment	821	flags to be displayed on school house..	865
issued when and how	816	free text books may be furnished.....	863
limit of issue.....	818	proposition for, submitted to electors	864
refunding, issuance of.....	824, 826	furniture and supplies to be furnished for.....	694
register of, by clerk.....	823	holidays and Saturdays, not taught on	749
security, property of, pledged as	822	libraries, books, lists of, furnished by state superintendent.....	625
sinking fund, investment of	820	notice of commencing, given by teacher	746
tax levy for sinking fund	819	pupils, admission from other districts..	696
cities governed by what law	785	contagious diseases, permits required of those having.....	268
city treasurer is treasurer of board....	803	enumeration of, annually	707
election, canvass of returns	812	suspension, powers of board as to ... teacher for cause, by.....	697 752
certificates of	813	register kept and report made by teacher	748
officers of, and oath	811	school year, school week, holidays, etc.	749
time, notice, form, etc.....	808, 810	special districts, branches to be taught in.....	750
equalization of debts and property....	806		
expenditures, contracts for, how made	802		
funds in bond fund may be transferred when	827		
general district, may become part of, when and how.....	807		
name	787		
organization	789		
powers	787		
property, conveyance of, mode	788		
schools, supervision of, by board.....	799		
state tuition fund, apportioned to, when	716		
taxes certified to county auditor for collection	801		

INDEX.

	<i>Section.</i>		<i>Section.</i>
SCHOOLS.--Continued.		SCHOOL AND PUBLIC LANDS. —	
state tuition fund, how raised	710	<i>Continued.</i>	
studies, assignment of, to pupils.....	753	right of way, compensation to be paid	
supplies furnished by superintendent..	625	for.....	2949
taxes for, how levied and collected....	699	grant of, to railroads	2948
terms of, additional, when.....	705	sale, adjournment of, how made	188
arrangement of, and discontinuance	704	confirmation	190
tuition fund apportioned by whom.....	647	contracts void when.....	200
visitation of, by county superintendent	640	county auditor clerk of	190
water closets to be provided for.....	874	lands, what certified for	184
(See <i>Education.</i>)		manner of.....	186
		notice published.....	185
SCHOOL AND PUBLIC LANDS.		property unlawfully severed from...	231
appraisal for leases.....	218	terms	187
appraiser, county superintendent acts		void when	192
as	650	withdrawal of lands from	189
assignee of purchaser, rights	198	subdivided into small parcels when....	194
coal lands cannot be sold	216	surveys made when	193
contracts, execution.....	191	taxation of, after sale.....	207
several issued for one surrendered,		timber, lessee must not destroy.....	225
when	199	sale of fallen and dead.....	228
controlled by board of university and		title in state until contract performed	202
school lands.....	170	trespass, action for	229, 230
damages, recovery for, how disposed of	232	state's attorney prosecutes for.....	233
examination of, by assessors	213	trespasser, who deemed.....	230
expenses of sale and lease, how paid..	234		
fee in state until contract performed ..	202	SEALS.	
hay, not to be cut before July 10	227	abolished	3892
lands, uncultivated, lessee not to break	226	corporate, how affixed.....	3891
lease, adjournment of	223	grantor, of, unnecessary.....	3536
advertisement for.....	220	great seal of state	1046
approval of.....	224	official, affixed how.....	3891
contracts for	224	dimensions and description of.....	1047
deposit by bidders.....	222	refusing to surrender	6916
lands subject to	217	temporary use authorized when	1048
made by whom and how	221	register of deeds	1953
made for what and how long.....	217	term construed	5139
selection for.....	219	SEARCH WARRANT.	
lots sold same as larger parcels.....	195	complaint, sworn, before issuing re-	
map of small parcels recorded.....	196	quired	8464
notice to purchaser, when contract void	200	complaint for, controverted	8475
patents for, issued when and how	205	defined.....	8461
record, effect of	206	doors, officer may break, when....	8468, 8469
payments on contracts to county treas-		form	8466
urer	208	grounds for issuing.....	8462
possession, recovery of.....	203	issued only on probable cause.....	8463
purchaser, rights of under contract....	197	officer may break open doors, etc.,	
tax sale, at, rights acquired by.....	207	when	8468, 8469
quantity which may be sold.....	216	exceeding authority under, misde-	
reconveyance to United States in case		meanor.....	8480
of error	204	papers, etc., returned to district court	
redemption from forfeited contracts... 201		when	8478
resale, when bidder fails to pay.....	201	procuring without cause, misdemeanor	8479

INDEX.

	<i>Section.</i>		<i>Section.</i>
SEARCH WARRANT.—Continued.		SECRETARY OF STATE.—Continued.	
procuring maliciously.....	7033	fees, brands, for recording.....	1538
property taken under, copy of inventory.....	8474	generally.....	95
disposed of how.....	8472	ticket agent, for license to.....	2989
restored when.....	8477	ferry leases in unorganized counties, to issue.....	1170
requisites.....	8465	foreign corporations, duty as to service on.....	3263
return.....	8473	governor, official acts of, attested by..	91
served by whom.....	8467	laws, etc., authenticated by.....	57
service at night, when.....	8470	correction of, for publication.....	77
testimony, how taken.....	8476	copy, furnishes to printer.....	56
void after ten days.....	8471	distribution of.....	66, 67, 92
weapons, dangerous, accused searched for.....	8481	furnishes certified copy of.....	91
		sale of by, terms.....	79
SECOND OFFENSES.		undistributed, custodian of.....	71
punished how.....	7696-7699	legislative assembly, sessions of, attended by.....	91
SECRETARY OF SENATE.		library, custodian of state.....	1034
certificates of election, to file.....	21	member of what state boards.....	91
roll of members, to make.....	21	nominations, certificates of, to preserve	503
(See <i>Office, Removal From, 7809.</i>)		notaries public, to notify of expiration of commissions.....	463
SECRETARY OF STATE.		official bonds, to receive and record....	91
account of fees, to keep, report, payment.....	327	printing, accounts for, approves.....	76
printing, for, to approve.....	76	receipts for books, to take and file....	91
articles of incorporation, to record... 91,	2869	records, custodian of what.....	90
board of state auditors, member of....	236	reports of supreme court, to distribute.....	399, 400
bond.....	97	salary.....	96
bond record, to keep.....	342	service on foreign corporations, duties	3263
bonds, official, to record.....	91	statutes, to arrange for publication... 82	82
books distributed, to mark.....	93	supplies to state officers, to distribute	94
receipt for, to take and file.....	91	SECURITY TO KEEP THE PEACE.	
book of supplies, to keep.....	94	accused, appearance at district court required.....	7774
brands, to record.....	1538	committed how, discharged how....	7771
certificate of incorporation, to issue... 2868	2868	discharged when.....	7768, 7775
constitutional amendments, certifies expense of publishing.....	1822	undertaking, must give, when.....	7769
conveyances to state, to record.....	91	action on undertaking.....	7778
corporations, judgments against filed with.....	5783	assault in presence of court.....	7773
custodian of undistributed laws, etc....	71	complaint authorized for.....	7764
records, of what.....	90	controverted, procedure.....	7767
deputy, authorized.....	370	defined.....	7765
bond of.....	370	costs taxed how.....	7781
responsible for acts of.....	370	parties appear when.....	7776
duties enumerated.....	91	proceedings for limited.....	7780
elections, blanks, etc., to transmit to auditors.....	497	procedure, etc.....	7764
candidates, to certify names, etc., to auditors.....	504	undertaking, what alleged as breach	7779
offices to be filled, notifies auditors of	511	broken when.....	7777
fee book, to keep.....	91	given, accused discharged.....	7770
		given, not, accused committed.....	7770

INDEX.

	<i>Section.</i>		<i>Section.</i>
SECURITY TO KEEP THE PEACE.		SHEEP HUSBANDRY.	
— <i>Continued.</i>		damages for killing sheep by dogs, no	
undertaking , returned to district court	7772	exemptions allowed.....	1570
warrants , magistrate must issue, when	7766	dog may be killed when	1569
SEDUCTION.		owner of dog liable.....	1570
evidence necessary to conviction for...	8197	SHEEP INSPECTORS.	
forbidden	2718	acts , official, record of	1639
marriage , under promise of.....	7167	appointment	1630
subsequent , defense.....	7168	compensation	1611
wrongful use of	7669	approved by district veterinarian....	1611
(See <i>Liens, Seed.</i>)		county commissioners , remove when...	1641
SELF DEFENSE.		deputies , may appoint	1630
force allowable to protect person or		dip , refusal to, penalty.....	1634
property	7143, 7759, 7760	duties	1609, 1631
right of	2719	fine for false reports	1640
SENTENCE.		flock diseased, duties of agent or owner	1632
convictions , on two or more.....	7700	jurisdiction	1610
imprisonment , when to expire.....	7702	oath and bond	1633
recorded where.....		recorded where.....	1633
SEPARATION.		office , term.....	1630
consideration , consent sufficient for...	2769	owners , to notify	1637
contract of, husband and wife may		failing to notify, penalty	1638
make	2768	powers	1636
divorce , not ground for, if by consent..	2740	record deposited where	1639
refusal to revoke is ground for divorce	2740	removal , causes for	1641
support , when husband liable for wife's	2772	salary paid how.....	1635
SERVANT.		sheep infected to be dipped when	1634
abduction or enticement forbidden	2718	SHERIFF.	
defined	4123	action against, for escape or rescue....	2000
deliver to master everything received on		amercement of entered of record, effect	5559
his account, to	4128	measure	5557
discharge , causes for	4129	notice of proceedings.....	5555, 5559
hiring presumed for one month, when..	4125	reimbursed how and when	5561
presumed for wage term	4124	surety , enforced against, how.....	5560
renewal for same term and wages pre-		arrest without warrant, duty to make	
sued	4126	when	7563
injury to, forbidden.....	2718	blanks , to provide at expense of county	308
intimidation of, misdemeanor	7660	coroner acts as, when.....	2006
time belongs to whom	4127	court , opens and adjourns.....	2004
(See <i>Master and Servant.</i>)		deed on execution sale.....	5550
SERVITUDES.		deputy , authorized	370
(See <i>Property, Real.</i>)		bond	370
SEWERAGE.		number authorized	371
(See <i>Cities, 2315-2326.</i>)		responsible for acts of.....	370
SHEEP.		duties	1992
examination , refusal to allow	7334	refusal to perform, misdemean-	
infection , willfully spreading		or	7363, 7368
among	7335, 7336	election , notice of, to post.....	1829
		escape , permitting, misdemeanor, when	6986
		execution , may return by mail, when..	5558
		fees	2082-2088
		advance , may demand in.....	2104

INDEX.

<i>SHERIFF.—Continued.</i>	<i>Section.</i>	<i>SHIPPING.—Continued.</i>	<i>Section.</i>
fees, bill, to keep posted, penalty	2105	convict, landing of, misdemeanor when	7027
board of United States prisoners	2087, 2088	embezzlement, how made good	4167
county courts, in	2085	injury, how made good	4167
courts-martial, as marshal of	1407	losses from collision, how borne	3478
indorsement of, on process	2086	managing owner, no compensation	4171
justices' courts, in	2085	mate defined	4150
prisoners, transporting, etc.	2084	engaged by master, cause for dis-	
gambling, duty as to	7243	charge	4152
herd law, duty to enforce	1565	expenses of sickness	4163
insane, to take to hospital	1519	goods, cannot ship	4166
jails, board and necessaries, to provide	8608	rights as to unseaworthy vessel	4153
charge of, to have	8602	wages begin when	4157
duty, neglect of, penalty	8611	death, to time of	4164
register, to keep, contents of	8603	disabled without fault, if	4162
reports as to condition of, to make	8604	forfeited by what	4165
rules, to post	8600	full, if wrongfully discharged	4159
United States prisoners, must hold	8635	navigation classified	3470
visits, monthly	8609	domestic, defined	3470
jurors, to act in selection from list	449	foreign, defined	3470
jury duty, exempt from	441	rules of navigation enumerated	3475
liability of for escape	1998	infringement, damages, when	3476
failure to execute process	1996	damages presumed	3477
failure to pay money	1997	seamen, agreements, certain void	4154
failure to return	1995	agreements, special, binding when	4155
insufficient surety in contempt pro-		defined	4151
ceedings	5951	discharge, causes for	4152
rescue	1999	goods, cannot ship	4166
marshal of courts-martial	1406	master engages	4152
mileage, summoning jury	2083	rights as to unseaworthy vessel	4153
militia, may order out, when	1400	sickness, expenses of	4163
money, appropriation of, felony	6985	wages, if disabled without fault	4162
mail, must not send by, when	5559	begin when	4157
neglect of duty, misdemeanor, when	7353	death, to time of	4164
prisoner, delivers to penitentiary	8540	due when	4156
prize fight, duty to inform of	7353	forfeited by what	4165
process of county court, to serve	6175	full, if wrongfully discharged	4159
exhibit required when	2003	loss or wreck, in case of	4160
foreign, how returnable	1993	voyage broken up, if	4158
regular on face justifies, in execution	2002	ship defined	3468, 4139
service of, paid how	6176	foreign and domestic, defined	3471
records of, injury to	6985	mortgages, law inapplicable to	4743
return prima facie evidence	1994	mortgage of, where recorded	4742
sealer of weights and measures	1726	owner's rights settled how	3472
service of papers on, how made	2005	registry, etc., congress regulates	3474
service of process, etc., duty as to	5734	repairs and supplies, who liable for	3473
terms of, limited	1891	sacrifice for safety of	4214
vacancy created by commitment of	2001	transfer of	3550
SHIPPING.		ship managers, authority limited	4389
appurtenances defined	3469	authority to contract and settle to	4368
cargo, sacrifice for safety of	4214	defined	4169
certificate of master, evidence	4161	duties	4170
charter party	4093	shipmaster, agent, general, of cargo	
		owners	4358

INDEX.

	<i>Section.</i>		<i>Section.</i>
SHIPPING.—Continued.		SOLDIER'S HOME.—Continued.	
shipmaster, agent, general, of owners..	4356	admission, who entitled to.....	1011
appointed by owner.....	4139	board of trustees, appointment.....	1013
authority ceases when.....	4364	compensation.....	1013
borrow money, may, when.....	4357	contracts by, approval.....	1018
cargo, may sell, when.....	4362	meetings.....	1015
contracts, what may make.....	4359	oath and bond.....	1014
great care, must use.....	4148	proceedings, record.....	1018
hypothecate ship, etc., may.....	4360	qualifications.....	1013
liable personally on contracts when..	4365	reports.....	1015
negligence of crew, for.....	4366	congressional grant, acceptance.....	1019
negligence of pilot when.....	4367	funds kept how.....	1017-1020
must be on board when.....	4140	set apart for.....	1012
pilot, to take on board.....	4141	location.....	1009
power over passengers.....	4143	objects.....	1010
power over seamen.....	4142	officers, appointment and qualifica-	
ransom, may pay.....	4363	tions.....	1016
ship, abandon, must not, when.....	4145	storekeeper, duties.....	317
cargo, to procure for, when.....	4571	treasurer.....	310
sell, may, when.....	4361		
supplies, private, may take.....	4144	SOLDIERS AND SAILORS.	
trade, cannot, on his own account... 	4147	appropriation for burial.....	1816
valuables, must take, on abandon-		burial at expense of state when.....	1812
ment of ship.....	4146	expense certified how.....	1815
transfers, record of.....	3572	county judge to give them proper	
		burial.....	1814
SIGNAL LIGHT.		notifies secretary of war when and	
masking or removing.....	7580	how.....	1814
SIGNATURE.		interment, not to be with pauper dead	1813
defined.....	7722	preferment for official employment....	1817
extortion, obtaining by, punishment..	7477		
includes what in code of criminal pro-		SPECIAL PROCEEDINGS.	
cedure.....	8508	defined.....	5157
SLANDER.		judgment in, defined.....	6097
costs limited in, when ..	5579	motion in, defined.....	6097
definition.....	2716	parties to, designated how.....	6096
limitation of action.....	5203		
pleaded how.....	5288	SPECIFIC PERFORMANCE OF OB-	
privileged communications.....	2717	LIGATIONS.	
SLEEPING CAR COMPANIES.		cases in which enforced.....	5024
<i>(See Licenses.)</i>		contract signed by only one party when	5027
SLUNG SHOT.		damages liquidated does not defeat....	5028
carrying or using, felony.....	7312	granted only when mutually enforce-	
manufacturing, misdemeanor.....	7311	able.....	5025
SODOMY.		penalty in contract does not defeat....	5028
crime, when complete.....	7187	personal property, presumption against	5026
defined.....	7186	presumption as to personalty against..	5026
SOLDIER'S HOME.		realty, as to, in favor of.....	5026
accounting officer.....	309, 313	real property, presumption in favor of	5026
accounts, method of keeping, (See State		subsequent holder with notice liable to	5033
Institutions.).....	309 321	unenforceable, act which party cannot	
		lawfully perform.....	5029
		act of third person, agreement to pro-	
		cedure.....	5029
		arbitration, agreement for.....	5029

INDEX.

	Section.		Section.
SPECIFIC PERFORMANCE OF OBLIGATIONS.—Continued.		STATE AUDITOR.—Continued.	
unenforceable, consent not free.....	5030	account, state, in favor of, to settle....	98
consideration, inadequate.....	5030	state and treasurer, between, to keep	98
contract, indefinite.....	5029	treasurer, to keep current, with.....	330
unfair.....	5030	warrants, of, to keep.....	98
default, in favor of one in.....	5031	apportionment of county funds, to	
personal service, obligation as to....	5029	make.....	328
sale, agreement for, if title imperfect	5032	board of state auditors, member of....	236
		bond.....	107
SPINNING FIBRES.		books and blanks, authorized to procure	333
(See <i>Bounties</i> , 1675.)		books, etc., legislative assembly may	
		inspect.....	102
STARCH.		claims against state, audits.....	98
(See <i>Bounties</i> , 1681.)		consolidated tax account, to open....	1352
		county auditors, instructions to.....	104
STATE.		cruelty to animals, pays expenses of	
action by, to annul patent.....	5752	agent when.....	1587
action against, cases in which author-		defaulters to state, duty as to.....	100
ized.....	5929	deputy, authorized.....	370
claim deemed rejected when.....	5930	bond.....	370
conditions attached to bringing....	5930	responsible for acts of.....	370
costs, undertaking for.....	5929	draft, duplicate of, sent county auditor	325
judgment, how collected.....	5931	state collections, on county treasurers,	
place of bringing.....	5929	for.....	325
agriculture, board of, not liable on con-		duties.....	98
tracts of.....	166	expense list of state institutions, duty	
claims of, by whom settled.....	98	as to.....	319
consent to purchase or condemnation		express companies, to notify of license	
of land by U. S.....	3	fee.....	1747
costs in actions, liability for.....	5592, 5593	licenses, to issue.....	1745
defaulters to, proceedings against.....	100	inquest, expenses at penitentiary or re-	
escheat, for no heirs, subject to what..	3760	form school, to pay.....	8596
heirs, for want of.....	3759	institution funds, duty as to.....	314
forfeitures to, action for.....	5794	judges, district, duty as to salaries of	5450
islands, owner of, when.....	3495	lands, taxable, list of, to procure....	1296
jurisdiction ceded to U. S. for posts,		list of, sends to county auditors,	
etc.....	4	when.....	103, 1296
defined and limited.....	2	member of what boards.....	98
owner of property, may be.....	3275	mileage of railroads, to certify.....	1333
owner of what property.....	3276	railroads, certifies valuation.....	1333
property, eminent domain, may ac-		record of express companies and	
quire by.....	9	licenses, to keep.....	1749
escheats to, when.....	7	refusal to perform duty.....	7369
no other owner, belongs to state....	7	registry of warrants, to keep.....	98
taxation, may acquire by.....	8	report to governor.....	98
rights of, over persons.....	5	number printed.....	59
ultimate right to property.....	6	salary.....	106
		salaries, to draw warrants for monthly	337
STATE AUDITOR.		school funds, authority to draw war-	
abstracts of county tax lists, to require	323	rants on.....	176
access to all state offices.....	101	duties as to.....	99
account, county, to keep with each....	322	settlement with treasurer, to have	
fees, of, to keep, report payment....	327	monthly.....	331
separate, with each fund, to keep....	332		

INDEX.

	<i>Section.</i>		<i>Section.</i>
STATE AUDITOR.—Continued.		STATE BOARD OF HEALTH.	
statement of state taxes collected, to require monthly.....	324	(See <i>Boards of Health, 240-244.</i>)	
state tax rate, auditor fixes when.....	1218	STATE BOARD OF MEDICAL EXAMINERS.	
transmits when.....	1218	(See <i>Boards, 275-283.</i>)	
tax levy, state, auditor makes, when..	1220	STATE BOARD OF PHARMACY.	
tax penalties, may remit when.....	105	(See <i>Boards, 284-291.</i>)	
taxes, state, delinquent, statement of, to furnish.....	1348	STATE BOARD OF VETERINARY MEDICAL EXAMINERS.	
townships, changes names of, when...	2531	(See <i>Veterinary Examiners, 1615-1624.</i>)	
veterinary examiners, issues warrants to pay.....	1619	STATE EDUCATIONAL LIBRARY.	
warrants on militia fund, to draw.....	1425	appropriation for.....	866
STATE BOARD OF DENTAL EXAMINERS.		STATE INSTITUTIONS.	
(See <i>Boards, 292-301.</i>)		accounting officers, duties.....	309, 311, 318
STATE BOARD OF EQUALIZATION.		appropriations, unexpended, cancellation of.....	320
(See <i>Taxes.</i>)		bills for supplies, etc., in duplicate....	315
STATE EXAMINER.		contracts, interest in, by officers and employees prohibited.....	1025, 1026
appointed by governor.....	136	duplicate bills, etc., sent to state auditor.....	316
bank, state, examination of.....	141	examination by state examiner.....	138
dissolution of, duties.....	3237	expenditures by, limited, penalty.....	1023, 1024
insolvent, brings action against.....	3258	expense list, requisites, auditing of....	318
bond.....	146	flags displayed on.....	1021, 1022
bookkeeping, to enforce uniform system of.....	139	funds of inmates, to whom paid.....	312
building associations, duties as to.....	3217-3222	paid over to institution treasurer when.....	313
commissioner of insurance, acts for, when.....	135	paid to whom.....	312
contempt of, proceedings to punish....	5953	transfer of.....	1023
county fiscal affairs, examination of....	140	insurance.....	1027-1029
deputy.....	145	lignite coal to be used by.....	1030
duties of.....	137-141	order for funds in favor of state treasurer.....	313
fees for examination of banks.....	3254	pay rolls in duplicate.....	315
examination of building associations.....	3218	purchasing agent, duties.....	309
obstruction of, felony.....	143	state auditor and treasurer, duties as to funds.....	314
officers, public, to aid, in his duties....	142	statement of funds to state auditor....	313
powers.....	143	storekeeper, duties.....	317
private institutions, examines when...	138	superintendents, bonds, duties.....	311
public institutions, supervises accounts of.....	138	treasurer, appointment, bond, duties..	310
public officers, examines accounts of ..	137	warrants drawn on expense list.....	319
qualifications.....	136	STATE LIBRARY.	
removal by governor.....	136	accounts for, how paid.....	1037
report to governor.....	144	appropriation for purchase of books...	1035
salary.....	145	care and custody of, for.....	1036
state treasurer, examination of books of.....	109, 110	care and custody of.....	1034
treasurers, state and county, supervision of.....	139	laws of state, what kept therein.....	80

INDEX.

	<i>Section.</i>		<i>Section.</i>
STATEMENT OF CASE.		STATE'S ATTORNEY.—Continued.	
Civil Action.		inquiry into charge of crime, must make	
amendments to, served when.....	5467	when	7983
appeal or new trial, used on	5478	municipal court, duty in.....	2220
certificate of judge filed	5467	office to be furnished.....	2060
contents	5467	prosecutions in name of, permitted	
defined.....	5464	when	7024
exceptions after judgment, settlement	5468	public moneys, penalty for failure to	
containing, settled when.....	5465	pay over	1985
new trial or appeal, used on	5478	receipts for.....	1984
referees, on trial by	5466	records of county officers examined by	307
settlement if judge dies, etc.....	5470	reports, neglect to make, to prose-	
judge refusing.....	5469	cute	306, 307
time for.....	5467	salary	2058, 2059
specification of particulars required... 5467		diminished during term, not to be... 2060	
substance of evidence sufficient..... 5467		school lands, prosecutes for trespass on 233	
time for preparing, etc., extended when 5477		subpoena, may issue, when	8360, 8361
service of draft of	5467	substitute may be appointed when.... 8221	
Criminal Action.		weights, false, duty to destroy, when 7504	
defined.....	8256	STATE TITLES.	
contains what.....	8268	depository for	1049
filed where.....	8258	STATE TREASURER.	
office of.....	8257	account of fees, to keep, report, pay-	
settled by whom.....	8258	ment.....	327
supreme court or judge may settle when 8266		separate, to keep	108
time to settle extended how.....	8267	separate with each fund, to keep.... 332	
STATE'S ATTORNEY.		appointment, to fill vacancy from sus-	
actions for recovery of moneys illegally		pension	110
paid	1981	apportionment of county moneys, to	
appointed by court when and how..... 1986		make	323
assistant may be appointed.....	1987	bond	118
bastardy cases, must prosecute..... 7853		bonds, may pay without warrant..... 329	
claims against county, not to present.. 1982		registers	114
coal rate law, to prosecute violations of 3072		books and blanks, authorized to pro-	
commissioners of railroads, acts for,		cure	333
when	3009	books of express companies and licenses,	
contempt of, proceedings to punish.... 5953		to keep.....	1749
corporation, may file information		custodian of state thistle fund	1706
against, when.....	8418	delinquencies, when accountable for... 113	
counsel, appointment of special	1988	deputy, authorized	470
county commissioners, adviser of..... 1980		bond of	470
defense, advising, punishable when.... 7658		responsible for acts of	470
duties.....	1979	drafts on county treasurer, to give no-	
official, acting contrary to	7634	tice of.....	326
refusal to perform, misdemeanor 7363, 7368		duties	108
fee or reward, acceptance of, prohib-		refusal to perform	7369
ited.....	1983	fee for registering bonds	116
gambling, duty to inform against	7243	institution funds, duties as to..... 314	
habeas corpus, notice of hearing..... 8669		liability, none for funds in depositories 239	
indictment or presentment, disclosing 7030		member of what boards.....	108
information, must file, when.....	7982	moneys, can pay only on auditor's war-	
not filed, statement to be made..... 7984		rant	329

INDEX.

	<i>Section.</i>		<i>Section.</i>
STATE TREASURER.—Continued.		STATISTICS.—Continued.	
removed when	110	failure of assessor, duty of auditor	1041
report to board of university and school lands	175	obtained how	1040
governor, to	108	officer's neglect of duty, penalty for... ..	1042
number printed	59	state statistician, duty of	124, 129, 1044
salary	117	STATUTES.	
settlement with auditor, to have monthly	331	conflicting, adjusted how	81
school funds, collects money due to	175	construction, rule of	5138
custodian of	174	distribution, mode of making	67
speculation in office, punishment	7629	persons entitled to	65, 66
state examiner supervises	139	foreign, proved how	5690
statement with county treasurer, transmits to auditor, when	1253	injunction not granted to enjoin execution	5046
suspension	109	minor cannot disaffirm obligation directed by	2705
railroad taxes in unorganized counties, to collect	1334	nuisance, nothing authorized by, deemed ..	5059
tax receipts, fraudulent, delivery, felony	1307	officers, to deliver to successors	85
warrant book, to keep	108	penal, rule of construction	8503
warrant register, form	1299	private, pleaded how, civil action	5287
keeps	1299	criminal action	8051
warrants deposited with auditor when purchase of, when prohibited	111	publication, readjustment of chapters, etc.	82
registers for payment	1300	secretary arranges and corrects for ..	77
weights and measures, standards of, to keep	1725	repeal of repealing, effect	5141
STATE TUITION FUND.		releases penalties, forfeitures, etc., when	5142
apportionment of	711	sale by secretary	79
made when	715	words defined by, always have same meaning	5107
constituted how ..	710	words in, how understood	5106
county treasurer to report quarterly ..	711	STEAMBOAT.	
special districts entitled to proportion used only in payment of teacher's salary	712	death from negligence in navigating ..	7090
STATE VETERINARIAN.		negligence in managing	7253
diseases, epidemic, serious, duty of ...	1614	tickets, requisites of	7537, 7538
duties, additional	1612	STENOGRAPHERS.	
oath of, filed where	1594	County Court.	
powers and duties	1597	appointed how	6617
who is	1594	compensation	6617
(See <i>Veterinary Regulations.</i>)		duties	6617
STATISTICS.		District Court.	
assessors to furnish	1038	appointment, oath, term	414
blanks for, how furnished	1040	compensation	419
classes of, enumerated	1039	minutes filed where, withdrawal	416
compensation of assessors for duties concerning	1041	proceedings at trial, to take in shorthand	415
county auditor furnishes, to state statistician	1043	temporary, acts as valid as those of official	414
expense of, how paid	1045	transcripts certified how	418
		made when	417

INDEX.

	<i>Section.</i>		<i>Section.</i>
STOCK.		SUBPOENA.—Continued.	
brand, unlawful to, when.....	7509, 7510	magistrate may issue when.....	7890, 8359
branding of, unlawfully.....	7506	requisites.....	8655
bull, permitting to run at large....	7635-7638	service made by whom.....	5654, 8365
driving from range willfully.....	7508	mode.....	5657, 8366
ears, willfully cutting off.....	7507	proof of.....	5654, 8365
infected, importing, etc., misdemeanor	7331	state's attorney may issue when..	8360, 8361
ram, permitting to run at large....	7635-7638	SUCCESSION.	
sheep, infected, not restraining...7332, 7333		advancements deducted from share ...	3752
infected, refusing to allow examina- tion.....	7334	deducted from share of issue.....	3756
willfully spreading infection among..	7335	defined.....	3754
stallion, permitting to run at large	7635-7638	excess not refunded.....	3753
stealing, etc., felony.....	7506	value expressed governs.....	3755
STOLEN PROPERTY.		aliens may take by.....	3758
bringing into state.....	7460, 7872	cemetery lots.....	3198
buying.....	7458	child, illegitimate, mother takes from, when.....	3745
delivered to county treasurer when....	8428	takes what.....	3744
owner, to, when.....	8425-8427	consanguinity, collateral, defined.....	3747
held by officer when.....	8424	direct ascending line defined.....	3748
jurisdiction of offense.....	7865	degrees in.....	3749
pawnbroker refusing to exhibit.....	7247	descending line defined.....	3748
receiving, penalty for.....	7458	degrees, collateral, how computed	3750
STOPPAGE IN TRANSIT.		direct or lineal, defined.....	3747
authorized when.....	4847	defined.....	3740
effected how only.....	4850	degree of kindred established how....	3746
insolvency, defined as to.....	4848	future interests pass by.....	3298
rescission of sale, is not.....	4851	half blood inherits equally when.....	3751
right exercised by whom.....	4847	homestead, to.....	3630
transit ends when.....	4849	order of.....	3742
STORAGE.		property passes by, to whom.....	3742
(See <i>Deposit, 4024-4028.</i>)		property which passes by.....	3741
STREETS AND ALLEYS.		representation, by, defined.....	3757
locating and vacating.....	2454 2458	successor to realty satisfies mortgage on, when.....	4726
(See <i>Cities.</i>)		SUICIDE.	
SUBORNATION OF PERJURY.		advising, etc., defined.....	7047
conviction of, disqualifies as witness...	6977	aiding, death within one year necessary	7006
defined.....	6975	punishment for.....	7051
punishment for.....	6976	attempting, defined.....	7046
(See <i>Perjury.</i>)		aiding, defined.....	7049
SUBPOENA.		punishment.....	7052
clerk to issue, in blank to defendant when.....	8362	defined.....	7045
defined.....	8358	defense, what not.....	7050
disobedience of, how punished.....	8370	furnishing weapon or drug for.....	7048
disobeying on behalf of defendant....	8371	SUMMONS.	
duces tecum.....	5655, 8364	complaint not served, form.....	5249
form of.....	8363	criminal action against corporation, form.....	8414
issued by whom.....	5654, 5656, 8359	served how.....	8415
issued out of county, indorsed by judge	8369	filing required.....	5731
		form.....	5248

INDEX.

	<i>Section.</i>		<i>Section.</i>
SUMMONS.—Continued.		SUPERINTENDENT OF PUBLIC INSTRUCTION.—Continued.	
judgment, after, (See <i>Proceedings after Judgment.</i>)	5633-5638	office at seat of government	622
partition, in, to whom directed	5799	reading circles, course of study prescribed by	628
requisites	5247	record of all official acts kept by	630
county courts, in	6608	report, biennial, contents	635
service, appearance, voluntary, equivalent to	5264	number and distribution of	636
personal, made how	5252	number of printed	59
made by whom	5253	salary and expenses	637
proof of	5262	school laws, duty to cause printing and distribution of	631
service by publication, affidavit and verified complaint filed, requisite affidavit for, contents	5254	schools, supervision of	624
cases in which authorized	5254	supplies for, furnished by	625
complete when	5259	seal to be kept	633
defense permitted to defend when	5260	state certificates issued by	626
defense barred after seven years	5260	teachers, examination by	626
partition, in, notice required	5800	institutes, to attend and assist at	634
personal service authorized when, effect	5257	term of office	622
publication in what newspaper	5255	vacancy filled how	726
number required	5255	SUPPLEMENTARY PROCEEDINGS.	
summons and complaint to be mailed	5256	adverse claims determined how	5570
time when service must be made	5258	authorized when	5562
(See <i>Court, Justice's.</i>)		contempt, punishment for	5573
SUPERINTENDENT OF PUBLIC INSTRUCTION.		debtor arrested when	5562
appeals from county superintendent decided by	629	examination of debtor's debtor	5564
rules of practice for taking, prescribed by	629	witnesses, of	5562
board of university and school lands, member of	624	exemptions of debtor	5567
books, records, etc., kept by	623	joint debtors, authorized against, when	5564
certificates, normal, issued by	738	order requiring debtor to appear	5562
professional, issued by	737	payment to sheriff by debtor's debtor	5563
revokes for cause	739	property ordered applied	5567
county superintendents advised and counseled by	629	receiver, actions to determine adverse claims	5570
course of study prescribed by	627	appointed when	5568
deputy, authorized	470	certified order vests property in	5569
bond	470	notice to other creditors when	5568
responsible for acts	470	order appointing recorded by clerk	5569
duties, generally	634	recorded by register of deeds when	5569
refusing to perform	7369	referees, examination before	5566
election and qualification	622	reference ordered when	5571
fees, issuance of certificates	739	transfer of property restrained	5568
institutes, course of instruction prescribed by	628	witnesses, allowance of fees	5572
rules for holding prescribed by	628	attendance compelled	5565
meetings with county superintendents	632	SUPREME COURT.	
normal school board, member of	624	(See <i>Court, Supreme.</i>)	
		SURETY.	
		apparent principal may show that he is	4650
		attorneys cannot be	431
		creditor entitled to benefit of security held by	4663

INDEX.

	<i>Section.</i>		<i>Section.</i>
SURETY.—Continued.		TAXES.—Assessment.—Continued.	
defined	4649	railroads, state board, by	1331
exonerated, causes which effect	4655	raised in equalizing only on notice	1211
neglect to take legal proceedings, by	4657	range stock, combination for false valuation, misdemeanor	1204
performance or offer, by	4654	school lands subject to, when	207
insurance company may be sole, on bonds, etc.	3115	time, when made	1182
interpreted same as other contracts ...	4652	unknown owners, assessor makes, for ..	1188
judgment against, does not change relation	4653	unorganized counties, in, made how ...	1336
liability limited to express terms of contract	4651	valuation made by assessor, except 1190, 1207	
official bonds, number required	349	false, perjury	1192
rights, benefit of securities held by creditors or cosureties	4661	value, cash, to be at	1182
contribution from cosureties	4660		
guarantors, same as	4656	<i>Listing.</i>	
performance by principal, to compel	4658	agent, how to list	1198
principal, may require creditor to sue	4657	agent of nonresident owner of person-ality to make	1183
property of principal, to have, first applied.....	4662	liability for not making.....	1183
reimbursement from principal.....	4659	refusing, assessor to make.....	1183, 1210
remedies of creditors, to enforce.....	4660	April 1st, listed to owner on	1182
SURGEON.		assessor, made by, minutes to contain	1210
duel, manslaughter, when.....	7079	bank stock, listed by cashier, etc.	1184
SURVEYOR.		listed to owner	1184
(See <i>County Surveyor</i> .)		owners, cashier to furnish names of..	1184
TAXES.		blanks, commissioners provide	1179
Assessment.		county auditor to furnish assessors..	1180
absent or unknown owner, in whose name	1188	state auditor to send county auditor.....	104, 1179
bankrupt stock, made how	1340	commission merchant, in name of, when	1196
bank stock, cash value, to be at	1184	credits, certain bonds not included in ..	1194
national, made how	1185	defined.....	1194
blanks, state auditor to furnish	1215	corporations, officers to furnish list ...	1182
cities, in, provisions of law directory ..	2190	date, listed to owner on what	1182
roll, assessor to deliver to county auditor	2493	elevators, grain therein, etc.	1186
elevators, grain therein, etc	1186	examination, owner refusing, proceedings	1189, 1210
examination of owner by assessor, when	1189	statement returned	1190
exemptions enumerated	1177	false, misdemeanor	7381
false, owner making agreement for, misdemeanor	7365	perjury	1192
punishment	7366	heirs, listed to, when	1198
lands becoming taxable, list to be furnished by state auditor	1296	instructions to assessor, commissioners to give	1179
purchased by county, subject to ...	1285	lands, list of, auditor to furnish assessor	1180
live stock as fixed by state board	1328	list made by whom	1195
manufacturer, to value property, how ..	1206	making false, perjury.....	6970
railroads, apportioned to counties how certified to political subdivisions how	1333	owners to furnish assessor	1182
rules governing.....	1331	owners refusing, assessor to make	1182, 1210
		manufacturer defined	1206
		merchant defined	1205
		name, to be in owner's	1182
		nonresident owner of personalty, agent to make	1183

INDEX.

	<i>Section.</i>
TAXES.—Assessment.—Continued.	
notices for, commissioners provide	1179
oath to list, form	1188
pensions not included in credits	1194
property, all except specific exemptions 1176	
classes of, subject to	1178
classes under which made	1181
right of way, buildings on	1187
time at which to be done	1182
<i>Place of Listing.</i>	
nonresident personalty, where situated 1197	
counties, personalty in two or more ..	1200
range stock of nonresident	1202
resident, of	1201
unorganized counties, in	1203
telephone property	1199
<i>Roll.</i>	
abstract made by county auditor	1215
cities, how made	2493
power of county board over	2189
returned to city auditor when	2185
returned to county auditor when	2189
corrections of, by treasurer	1236
form and contents	1209
returned by township assessors	
when	1190, 1209
village, made by assessor	2374
Assessor.	
assessment, false, agreeing to, misde-	
meanor	7364
punishment	7366
city, appointed how	2185
assessment, makes, for all purposes ..	2184
equalization, to give notice of	1212
list, to demand of all owners	1182
made by, what minutes to contain ..	1210
makes, if owners refuse	1182
nonresident, when to make for	1183
unsworn, accepting, penalty	1329
notify owner of valuation fixed, to	1208
appear before board of equalization,	
to	1208
oath, form, affixed to roll	1191
oaths, may administer	1188
statement of valuation of property in	
school district, furnishes to whom . . .	724
township, governed by what law	2615
valuation, false, perjury	1193
made by, except	1190, 1207
value, fixes for unknown owners	1188

	<i>Section.</i>
TAXES.—Continued.	
Collection.	
action authorized by whom	1274
bidder, highest, defined on execution	
sale	1284
certificate issued to county, when . . .	1285
commenced by summons	1276
complaint, form of	1278
costs taxed how	1277
defenses, what not admissible	1290
evidence, certificate of treasurer, as . .	1279
execution, directed to treasurer	1283
judgment enforced by	1283
sale, county to purchase at, when . . .	1285
sale on, how made	1283
fees of treasurer on sale	1287
included in, what taxes to be	1274
interest on judgment	1282
jury trial when	1280
note of issue not required	1280
notice of trial not required	1280
parties to	1275
payment after commencement dis-	
tributed how	1281
preference on calendar	1280
practice in	1280
summons, service of	1276
action to restrain, judgment for taxes	
due	1273
action to set aside, judgment for taxes	
due	1273
bank has lien on shares for taxes paid 1184	
bank to retain, out of dividends	1184
bank stock, bank to pay, for owners . .	1184
bankrupt stock, made how	1342
city funds, apportionment how made . .	2192
city, bridge, to be turned over	2500
county treasurer to make	2191, 2496
county treasurer to pay over monthly	2191
road, to be turned over quarterly . . .	2499
delinquent, become, December 1st	1238
compromise of, when	1346
entered on tax list	1224
interest 12 per cent	1238
penalty 3 per cent	1238
personal, treasurer liable for, when . .	1244
demand unnecessary	1237
discount, paid in 15 days after due, 1 per	
cent	1238
paid in 30 days after due, $\frac{1}{2}$ per cent	1238
distress, by, account of sale to be ren-	
dered	1240
fees for levy and sale	1240, 1245

INDEX.

	<i>Section.</i>
TAXES.— Collection.— Continued.	
distress, by, notice of sale.....	1240
October 1st, after.....	1237
posse, treasurer may summon.....	1241
property taken by, held at expense of owner.....	1240
remove from county, owner about to resistance of treasurer, punishment	1241
sale, adjournment	1240
elevator, paid to county, where situ- ated	1186
finer to county, treasurer collects	1226
forfeitures to county, treasurer collects	1226
list, tax, entries made in, on payment of.....	1231
mileage allowed treasurer.....	1245
money, treasurer pays over, when....	1247
obstructing, misdemeanor.....	7367
partners liable for firm taxes.....	1200
part payment must be of all classes of	1313
penalties to county, treasurer collects	1226
railroad property in unorganized coun- ties, by state treasurer.....	1334
receipts, false, delivery of, felony.....	1306
fraudulent, delivery of, felony.....	1307
show percentage for each fund, must	1221
receipts, other than tax, deposited with auditor, when.....	1233, 1309
duplicate, to be in.....	1233, 1309
entry of, in cash book	1233
receipts, tax duplicate, county auditor's duty on receiving.....	1229
embrace only one year's, must.....	1230
filing of one, with auditor required	1228, 1233
numbered consecutively, to be, for each year	1230
series for each year kept distinct....	1230
specifications required in	1228
treasurer to give for	1228
record, no instrument admitted to, without payment of	1325
removal of owner to other county, how	1237
sale, bidder, highest, defined	1257
bidder refusing to pay, action against	1258
refusing to pay, private sale.....	1258
refusing to pay, resale	1258
certificate, account entered in sales book	1262
assignable, how	1261
canceled on issuance of deed.....	1271
evidence of what	1261
fees of treasurer for.....	1262
form	1261

	<i>Section.</i>
TAXES.— Collection.— Continued.	
sale, certificate lost, bond required....	1271
certificate, tracts, several may be in- cluded in	1262
homestead, other lands sold first ...	1257
proceedings to ascertain	1257
notice	1255
fees for.....	1255
private, of unsold lands.....	1263
purchaser acquires lien	1261
subsequent tax, may pay, when	1261, 1288
real estate, of, when.....	1256
report of	1259
evidence of what.....	1259
restitution, if wrongful	1272
school lands, purchaser acquires what rights.....	207
school district, division of, funds from levy, paid to whom.....	734
shortages, treasurer charged with	1229
state, county commissioners' report of, semiannually	1251
county liable for, when	1248
default of treasurer, county liable for penalties, state auditor may remit... 105	1252
treasurer to make quarterly report of	1252
treasurer to pay over quarterly.....	1252
state treasurer's account with county treasurer	1253
treasurer, collector of taxes for all pur- poses	1226
duty to collect.....	1225
uncollectible, treasurer released when	1243
treasurer to file list of, when	1243
unorganized counties, in, made how	1336, 1339
village, county treasurer makes when..	2379
made by marshal.....	2376
marshal, powers of.....	2378
warrants, city, receivable for city....	1227
county, receivable for county, when	1227
road, applied on, how.....	1312
state, receivable for general state....	1227
Compromise.	
delinquent, of, allowed when	1346
Deed.	
action to impeach, on execution. limi- tation.....	1249
action to set aside, judgment for tax due	1273
limitation	1289
payment of taxes a condition.....	1289

INDEX.

	<i>Section.</i>
TAXES.—Deed.—Continued.	
distraint, failure to collect by, does not invalidate	1270
effect of	1267
evidence of what	1268
executed how	1267, 1268
execution sale, on, when issued	1286
form	1268
irregularities do not invalidate	1270
time, when issued	1267
Delinquent.	
adjustment of, between counties and state	1347-1354
Equalization.	
assessment, raised only on notice	1211
bankrupt stock, made how	1341, 1342
city board, assessment increased only on notice	2187
constituted how	1211, 2186
duties and powers	1211, 2187, 2188
meets when	1211
quorum	1211
county board, assessment, wrongful change of, misdemeanor	1330
complaints, hearing of	1214
constituted how	1213
meets when	1213
powers of	1213, 1214
property, adds only on notice	1214
nonresidents heard by county board ...	1211
state board, constituted how	1216
equalizes county assessments	1216
expenses paid	1327
levy, state, fixes rate of	1216
live stock classified	1326
fixes value of	1326
meets when	1216
rules governing	1216
township board, duties	1211
meets when	1211
notice of meeting	1212
quorum	1211
supervisors constitute	1211
unorganized counties, in, made how ...	1337
village board constituted how	1211
duties	1211
meets when	1211
notice of meeting	2375
quorum	1211
Levy.	
city, council make, when	2190, 2494
county auditor extends on list	2190

	<i>Section.</i>
TAXES.—Levy.—Continued.	
city, general fund, limit, 20 mills	2490
interest fund, for, limit, 12 mills	2487
misapplication, misdemeanor	2487
made in specific amounts	2190
provisions of law directory	2190
rate, city auditor transmits to auditor	1246
school purposes, limit, 20 mills	2489
sinking fund, for, limit, 4 mills	2488
misapplication, misdemeanor	2488
tax list, how made	2495
transmitted to county auditor	2494
cities, etc., in, county board, to make when	1343
county, additional, limit, 2 mills	1217
bridge, limit, 2 mills	1217
extraordinary, limit, 2 mills	1914
ordinary, limit, 6 mills	1217
road, limit, 2 mills	1217
sinking fund, rate of	1217
time of making	1219
county commissioners to make for cities, towns and villages, when ...	1343
gophers, for destruction of, 2 mills	1344
list, tax, correction of, by treasurer ...	1236
delay in delivering does not affect tax delinquent, treasurer to enter on duplicate	1224
duplicate, auditor makes in	1221
duplicate delivered to treasurer	1223
indorsed how	1223
informalities in, do not affect tax ...	1223
school district tax, auditor to extend on	723
town, for, auditor furnishes town clerk	1222
village, made how	2376
warrant to be affixed	1223
poll tax, county, \$1.50	1217
railroads, unorganized counties, in, by state auditor	1334
school district, adjusters make, if no board, limit 20 mills	725, 735
arbitrators make, on division of	732
counties, in two, made how	721
county auditor, by, 2 mills	722, 735
division, limit, 15 mills	733, 735
general, limit, 30 mills	721, 735
judgment, to pay, limit, 20 mills	723, 735
made how	721
notice of, form	721
poll	722
rate, school district clerk transmits to auditor	1246

INDEX.

	<i>Section.</i>		<i>Section.</i>
TAXES.—Levy.—Continued.		TAXES.—Miscellaneous Provisions.—	
		<i>Continued.</i>	
state, county commissioners make, when	1220	treasurer, accounts and pays to state	
general, limit, 4 mills....	1217, 1218, 1220	on demand.....	1252
state auditor makes, when.....	1218	accounts quarterly to state.....	1252
transmits rate to county auditor		apportionment of funds, makes	
when.....	1218	monthly.....	1234
state board fixes rate.....	1216	collects what.....	1226
town, general fund, limit, 20 mills....	2490	distribution of funds, makes monthly	1234
interest fund, for, limit, 12 mills....	2487	fines to county, collects.....	1226
misapplication, misdemeanor.....	2487	forfeitures to county, collects.....	1226
school purposes, limit, 20 mills...735,	2489	funds, disburses quarterly.....	1321
sinking fund, for, limit, 4 mills....	2488	pays over money to proper authority	
misapplication, misdemeanor.....	2488	when.....	1247
township, bonds, for.....	2659	pays over to state semiannually	1252, 1294
clerk to certify, to county auditor		penalties to county, collects.....	1226
when.....	2641	penalty for treasurer's failure to ac-	
made how.....	2640	count and pay over to state.....	1252
rate, township clerk transmits to		receipts, to make out in case of sale..	1261
auditor.....	1246	redemption, enters memorandum of..	1264
unorganized counties, in, list prepared		money, holds for purchaser.....	1264
and kept, how.....	1338	receipt to give on.....	1264
railroads, by state auditor.....	1334	receipt not given, proceedings....	1264
villages, board determines amount of		reports, quarterly, to make.....	1250
when.....	2373	shortages in collection, charged with	1229
general fund, limit, 20 mills.....	2490	settlement with state, failure to make,	
interest fund, for, limit, 12 mills....	2487	penalty.....	1295
misapplication, misdemeanor.....	2487	state funds remitted by, how.....	1294
rate, village clerk transmits to audi-		warrant register balanced annually,	
tor.....	1246	to be.....	1302
school purposes, limit, 20 mills...735,	2489	failure to balance, penalty.....	1303
sinking fund, for, limit, 4 mills....	2488	keep, to.....	1299
misapplication, misdemeanor.....	2488	warrants, marks "redeemed" when..	1311
		paid, delivered to auditor when....	1233
		redeemed, interest to be noted on..	1310
		vendor and purchaser, tax, lien as to,	
		when.....	1239
		warrants, interest to be noted on....	1310
		"redeemed," marked when.....	1311
		road, received in part for taxes, in-	
		dorsement.....	1312
		TEACHERS.	
		certificates, applicants for, examined	
		by county superintendents.....	740
		county, fees for examination.....	743
		requisites of.....	741
		fees charged for professional or nor-	
		mal.....	739
		grades established how.....	741
		normal, qualifications requisite.....	738
		proceedings to revoke.....	745
		professional, qualifications requisite	737
		revocation for failure to give certain	
		instruction.....	648
lien between vendor and purchaser,			
Dec. 1.....	1239		
lien on real estate perpetual.....	1239		
personal tax, for.....	1239		
live stock classified and valued by state			
board.....	1326		
misconduct of officers forfeits salary....	1308		
officer, misconduct of, forfeits salary..	1308		
railroads, gross earnings suspends di-			
rect.....	1335		
redemption, amount required to be			
paid on.....	1264, 1283		
interest on.....	1264, 1283		
partial, how made.....	1264		
time for making.....	1264, 1283		
undivided interest, of, how made....	1265		
state, delinquent, adjustment of with			
counties.....	1347, 1354		
treasurer, account with state treasurer	1253		

INDEX.

	<i>Section.</i>		<i>Section.</i>
TEACHERS.—Continued.		THREAT.	
certificates revoked by county superintendent when	744	election, interfering with by	6880
compensation, none allowed when	747	electors, meeting, preventing by, misdemeanor	6875
contracts to teach void if not qualified	742	voting, preventing by, penalty	6877
institutes, attendance at, required	751	extortion, inducing fear constituting ..	7474
fund for, how raised and kept	646	same by letter	7478
rules for holding prescribed by superintendent of public instruction	628	libel, to publish, misdemeanor	7154
superintendent of public instruction to attend and assist at	634	partner may not obtain advantage by ..	4380
permits for teaching, when may be granted	741	religious act, preventing by, misdemeanor	6851
pupils, suspension for cause	752	belief, compelling by, misdemeanor ..	6850
qualifications as to age, etc	742	trustees, may not obtain advantage by ..	4264
required	695		
register, to keep	748	THRESHER'S LIENS.	
relatives of board not eligible	859	(See <i>Liens</i> .)	
report	748		
salaries, how graded	695	TICKETS.	
term of school, notice of commencing, given by	746	passenger, acceptance, assent to what ..	4231
		requisites on Missouri River	7538
		requisites of steamboat	7537
TELEGRAPH.			
dispatch, disclosing, misdemeanor	7584	TIMBER.	
secreting, misdemeanor	7585	damages for injuries to, treble	5008
lines, injuring, misdemeanor	7553	injuring, etc, punishment for	7570
unlawful interference with	7656	school lands, on, destruction prohibited ..	225
(See <i>Carriers of Messages</i> .)			
TENANT.		TIME.	
adverse proceedings, to give notice of ..	4087	computation, exclude first, include last day	5150
attornment of, unnecessary	3543	contract, of essence of, when	3806, 3916
fixtures, may remove when	3492	enlargement of, power of court	5298, 5722
notice of re-entry to	3349	pleadings, criminal action, alleged how ..	8043
rights	3364, 3365	void act not confirmed by	5101
will, at, estate terminated by notice	3346-3348		
(See <i>Hiring of Real Property</i> .)		TITLE.	
TENDER.		action, of, to be stated in complaint ..	5266
(See <i>Obligations, Offer of Performance</i> .)		affidavit, of, not required	5737
TEXAS OR CHEROKEE CATTLE.		embezzlement, appropriation under claim of, defense	7469
damages, proof necessary to recover ..	1591	lien does not transfer	4683
defense to action for, what not	1591	litigated, cannot be, in justice court ..	6671
defined	1593	loan for exchange transfers	4055
importing or owning, damages for	1591	loan for use, not transfer of	4042
penalty for	1589	personality, passes when on sale	3552
persons liable for	1590	passes when on executory agreement for sale	3553
unlawful when	1588	sale by agent transfers, when	3554
spreading disease, proceedings when ..	1592	sale, warranty of	3972
		purchasing, grantor not in possession, misdemeanor	7002, 7003
THINGS IN ACTION.		sale on execution passes what	5538, 5550
(See <i>Property, Personal</i> .)		reversal of judgment does not defeat purchaser's	5553
		transfer vests what	3528, 3545, 3547
		will passes, when	3725

INDEX.

	<i>Section.</i>		<i>Section.</i>
TITLE DEEDS.		TOWNSHIPS.—Continued.	
owned by whom.....	3488	board of health, powers.....	2582
TOLL GATE.		quarantine of infected person... 2588, 2589	
injury to, felony	7551	bonds issued when and how.....	2657
punishment	3081	sold at par	2658
TOLL HOUSE.		tax levy for.....	2659
injury to, felony.....	7551	bonds, refunding, cancellation of	2664
TOWNS.		denominations and form of.....	2661
cities, may become, when.....	2338	issuance determined how.....	2661
elections, inspector of, appointed by		issued when.....	2660
president of board, when.....	483	payment	2664
inspector, board chooses, if president		record to be kept	2662
disqualified	483	taxes to pay principal and interest ..	2663
president of board appoints, when	483	by-laws, clerk to post where.....	2562
fire departments, insurance tax for 2462-2466		take effect when and how.....	2561
indebtedness, limit of.....	2492	calaboose, convicted persons confined	
inspector of elections, board chooses, if		in.....	2680
president disqualified.....	483	notice to be given	2679
name changed how.....	2443-2448	provided, may be.....	2678
organization of, under general law.....	2401	charges, what are	2639
president of board appoints inspector of		clerk, blanks, to provide at township	
elections when	483	expense	308
inspector of elections	483	bond.....	2605
streets and alleys, vacating and locat-		deputy, appointment of.....	2603
ing	2454-2458	jurors, to record names of, and send	
wards changed how.....	2449-2453	clerk of court	447, 448
waterworks and fire apparatus, author-		levy, notifies county auditor of.....	2641
ity to provide	2459-2461	oath	2605
TOWNSHIPS.		officers, to require to qualify	347
accounts, action on.....	2629	powers.....	2602
stated and audited, how	2626	record of funds kept.....	1970
unverified, penalty for auditing.....	2630	records and accounts, keeps	2604
verified, must be.....	2627	road lists, delinquent, report of	1141
verified, need not be.....	2628	returned to auditor when	1141
actions in corporate name.....	2539	constables, blanks, to provide at town-	
assessors, blanks, to provide at town-		ship expense	308
ship expense.....	308	oath and bond.....	2571
bond filed where.....	2572	powers	2677
county auditor appoints when.....	2580	corporate powers	2537-2539
governed how	2615	debts, limit of.....	2656
board of auditors, meetings.....	2617	division of, allowed when	2533
report accounts audited and allowed	2619	apportionment of assets.....	2536
read at township meeting.....	2620	liabilities.....	2536
supervisors to audit accounts... ..	2616	commissioners make, on petition	2534
treasurer's accounts, audit when....	2618	election for.....	2535
board of health composed how	2581	petition for, notice of hearing.....	2534
hospital may be provided by	2590	elections, ballot, what to contain.....	2552
nuisance abated by	2584 2587	canvass of votes.....	2555
proceedings for abatement ... 2586, 2587		manner of.....	2556
warrant to issue for abatement of..	2587	district, each constitutes.....	2675
orders, public notice of	2583	notice	2559
refusal to obey, penalty.....	2584	poll list	2553
		polls, opening and closing.....	2548
		result to be announced	2557

INDEX.

	<i>Section.</i>
TOWNSHIPS.—Continued.	
elections, special, when may be called	2560
guide posts, character of	2649
erection and maintenance of	2646
forfeiture for failure to furnish	2650
penalty for nonerection and maintenance	2648
record	2648
report to annual meeting	2647
highways, contract system adopted	
how	2669
contract system for	2668
funds for, kept and paid out how	2671
supervision over	2668
tax, collection of	2672
levy for, rate of	2670
irrigation, election for	2665
petition for	2665
tax for	2666
maximum levy for	2667
justice of the peace, blanks, to provide	
at township expense	308
bond	2566
certificate to official acts of	2567
jurisdiction	2568
oath	2566
proceedings before	2569
judgments, payment of	2637
unpaid, proceedings	2638
levy, clerk to notify county auditor	
when	2641
made how	2640
meetings, annual, when held	2540
ballots, judges deposit	2554
conduct	2546
moderator, duty	2547
notice	2544, 2545
powers of electors at	2542
proceedings to be filed	2558
special, held when	2543
notice	2543
voting unlawfully at	6868
officers, assessor, compensation	2623
blanks, to provide at township expense	308
bonds, appropriation for filing	348
certificate of oath filed where	2565
clerk, compensation	2624
jurors, to post notice of apportionment of	446
compensation increased or reduced	
how	2625
contracts, not to be interested in	2674
elected how	2551

	<i>Section.</i>
TOWNSHIPS—Continued.	
officers, elected, what to be	2541
eligible, who	2563
names transmitted to clerk of district	
court	2605-2608
oath	2564
penalty for failure to take	2574
powers and duties	2602-2615
qualifications	2563-2576
qualify, failure to, effect of	2573
records, to deliver to successor	2644
disposition of, in case of death	2645
resignations accepted how	2577
successor demands records when	2642
term	2576
vacancies in appointing board filled	
how	2579
filled how	2578
records to successor	2643
organization, boundaries, county commissioners determine	2526
boundaries remain as now established, until	2532
fractional, effected how	2527
fragment may be attached how	2527
meeting, first	2529
name	2528
county auditor transmits, to state auditor	2530
state auditor alters, when	2531
petition for	2526
pounds discontinued how	2653
located how	2652
pound masters, acceptance of office	2575
fees	2654
proceeds of sales, disposition of	2655
sales by	2654
powers	2537
limited	2538
public places, voters designate at annual meeting	2651
road machinery, sale, lease or purchase of	2673
road overseer, acceptance of office, to file	2575
suits, court may partition lands when	2636
jurisdiction in	2634
name of township, to be in	2632
proceedings in	2631
service on whom	2633
trespass, recovery in	2635
supervisors, accounts, audit	2595
actions, to prosecute and defend	2600

INDEX.

	<i>Section.</i>		<i>Section.</i>
TOWNSHIPS.—Continued.		TOWNSITES.—Continued.	
supervisors, blanks, to provide at town-		deeds to be given when	2515
ship expense	308	entry, expenses of, paid how	2508
bonds of township officers, approve. .	2594	fee raised how	2505
business transacted	2593	notice of	2509
clerk	2622	persons who may make	2504
drains, to keep open	1462	transferred to claimant how	2507
elections, inspector of, chairman ap-		unclaimed lands, appraisal	2518
points when	483	conveyance	2516
chairman is	483	private sale	2520
examine records of officers	307	proceeds of sale	2522
highway tax list, to send overseer . .	1124	public sale	2519
jurors, make selection of	447	purchaser pays for deed	2521
labor, highway, make estimate of . .	1121	sale	2517
meetings	2591	surplus after sale	2523
adjourned and special	2596	property, how disposed of	2506
held where	2592		
noxious weeds, obtain judgment for		TRADE-MARKS.	
destruction of	1685	affixing, defined	7263
powers	2598	appropriated for what	3485
powers and duties	2591-2601	counterfeiting	7256
quorum	2601	defined	7261
road duties	1114	dies, keeping to counterfeit	7257
labor list, prepare	1122	ownership, subject of	3267
tax, to levy	1122	subjects of ownership	3485
streets, town or village, to improve,		warranty implied from	3979
when	2599	wrongful appropriation of	7259-7265
treasurer, accounts kept by	2610		
blanks, to provide at township ex-		TRANSFERS.	
pense	308	acknowledgments of, (See <i>that title.</i>)	
bond	2570	action not abated by	3573-3593
duty	2609	bank stock	3235
forfeitures received by justices, to		consideration unnecessary to voluntary	3509
collect	5793	corporate stock, made how	2876
moneys, draws from county	2611	nonresidents, of	2904
neglect of duties, penalty	2613	defined	3508
orders not issued, until bond filed . .	346	fraudulent, adjudged, not solely for	
pays when	2621	want of consideration	5055
statement of receipts and disburse-		intent, question of fact when	5055
ments	2612	intent to defraud creditors, made	
warrant book kept by	2614	with, void	5052
warrants, payment and indorsement		personalty, of, without change of	
by	2614	possession presumed	5053
voters, challenge to	2550	future interests pass by	3298
qualifications	2549	grants, benefit taken, though unnamed	3530
warrants, payment and indorsement . .	2614	delivery, absolute, must be	3517
		constructive, when deemed made . .	3520
TOWNSITES.		escrow, in	3518
claims, awarded, notice of	2510	presumed at date	3516
conflicting, adjusted how	2512	effect, take, only on delivery	3515
expenses of, determined how	2508	redelivery does not retransfer	3519
paid how	2514	grants, interpretation of, contracts,	
extent of	2513	same as	3521
statement of, to be recorded	2511		

INDEX.

	<i>Section.</i>
TRANSFERS.—Continued.	
grants, interpretation of, fee, words unnecessary to.....	3527
former part prevails	3525
grantor, against, when	3524
limitation	3522
recitals, recourse to.....	3523
“without issue,” defined	3526
grants, real, after acquired property passes	3547
attornment of tenant unnecessary ..	3543
conclusive against whom	3540
condition. on, take effect when	3546
covenants implied from word “grant”	3539
easements, pass and create.....	3538
fee simple title presumed.....	3545
form	3537
highway, title to	3542
proof of execution	3536
reconveyance after defeat by condition.....	3548
seal of grantor unnecessary	3536
valid pro tanto	3541
incident, of, does not transfer thing....	3529
made how.....	3513
personal property, agent, by, title passes.....	3554
executory agreement, by, title passes when	3553
gifts, (See <i>that title.</i>).....	3555-3562
ships.....	3550
title passes when	3552
trusts, interests in, how made.....	3550
possibility not transferable.....	3511
product of mind, may be.....	3481
property, devise, effect of on.....	3668
husband or wife abandoned, by, binds both	2774
manner	2773
set aside when	2775
subject to, what is.....	3510
property, real, corporations, by, how made	3532, 3533
corporations, by, legalizing former..	3534
made how only	3531
recording, (See <i>that title.</i>)	3563-3572
re-entry, right of, not transferable....	3512
revocation, realty, grant subsequently made, when.....	3601
realty, power of, deemed executed when	3602
purchaser, rights protected.....	3603
thing, of, transfers incident.....	3529

	<i>Section.</i>
TRANSFERS.—Continued.	
unlawful, intent to defraud, made with intent to defraud, does not avoid, when	3599 3600
vests actual title.....	3528
voluntary, consideration unnecessary..	3509
executed contract, is	3509
written, classified	3514
TREASON.	
conspiracy to commit.....	7038
death, time of execution	7077
defined, punishment	7043
misprision of treason defined	7044
punishment	7044
petit, abolished	7056
pardon, legislature may, or commute..	8432
witnesses, number of required	8193
TREASURER.	
city, (See <i>Cities.</i>).....	
county, (See <i>County Treasurer.</i>).....	
state, (See <i>State Treasurer.</i>).....	
TREES.	
injuring, punishment for.....	7570
fruit, injuring, punishment for.....	7574
owners, who are	3376, 3377
TRESPASS.	
action for, administrators and executors may maintain	6469
school lands, upon, action for, penalty	229, 230
TRESPASS OF ANIMALS.	
action for	1557
commenced when.....	1562
custody, until damages paid	6156
damages by.....	1556
lien upon animals	1557
exemptions, none but absolute.....	6153
judgment, costs collected how.....	1559
court, of, final when.....	1561
exemptions, none.....	1562
lien on animals	6157
notice of damages before action....	6155
owner defined.....	6154
liability	1555, 6153
unknown, service on	1558, 6158
possession taken, misdemeanor, when	1560
sale of	6159
surplus, disposition of	6159
trial	6157

INDEX.

	<i>Section.</i>		<i>Section.</i>
TRIALS.		TRIALS.—Civil Actions.—Continued.	
Civil Actions.		pleadings, furnished to court	5424
case reached on calendar, either party		postponement, costs allowed when	5588
may proceed	5423	referees, by, (See <i>Reference.</i>)	5455-5461
moved for trial by whom	5422	separate , when permitted	5423
defined	5419	verdict , claim and delivery, in	5447
findings of fact , preparing	5451-5453	classified	5444
instructions to jury , exceptions to	5432, 5433	entries to be made by clerk	5448
jury, taken by, on retirement	5433	general, defined	5444
oral, when	5433	informal, corrected	5443
requests for	5432	prevented, new trial	5440
submission to counsel	5432	received how	5442
writing, to be in	5432	sealed, authorized when	5441
issues on calendar , how disposed of	5422	special , defined	5444
jury , admonitions to	5435	directed when	5445
challenge for cause, grounds of	5428	prepared how	5445
challenges classified	5427	view by jury	5434
number to each side	5427		
trial of	5429	Criminal Actions.	
deliberations	5437	accused , disposition of, on adjournment	7955
discharged by final adjournment	5441	acquittal of charge , bar when	8219
instruction to, further	5438	insanity, for, procedure	8255
names deposited in trial jury box	5425	arguments restricted	8184
drawn by clerk	5426	charging the jury	8176-8179
oath	5430	charge , exceptions before given	8179
papers, what may take	5436	conviction , bar when and how	8219
polling made how	5442	doubt as to degree of crime	8186
recovery, amount of, find when	5446	defendant acquitted, discharged when	8253
sick juror discharged	5439	acquitted, one or more, may be	8058
waived how	5449	convicted, one or more, may be	8058
new , (See <i>that title.</i>)	5471-5478	convicted, procedure	8254
note of issue , contents	5422	discharged to testify when	8188, 8189
notice of , only one need be served	5422	discharged to testify, an acquittal	8180
time for serving	5422	held to another county, discharged	
order of proceedings on	5431	when	8205
place of , cases, all other not enumerated	5243	held for trial in another county, pro-	
change by court for what causes	5244	ceedings	8203
demand for, made when	5244	presence required at, when	8125
made on defendant's demand	5244	question of sanity tried how	8309
transfer of papers after	5245	sane, trial to proceed	8402
foreclosure of mortgage of real prop-		demurrer , open court, must be made in	8090
erty	5241	overruled, proceedings	8098
forfeiture imposed by statute	5242	sustained, proceedings	8096, 8097
insurance on property, for recovery		time of hearing	8063
of	5241	instructions , oral	8178
partition of real property	5241	issue of fact arises when	8123
penalty imposed by statute	5242	jurisdiction , want of, appearing, jury	
personal property distrained, for re-		discharged	8201
covery of	5241	jury , court may advise acquittal when	8208
public officer, action against	5242	determine law and fact how	8183
real property or interest in, for re-		determine law and fact in libel	8182
covery of	5241	disagreeing, discharged when	8227
tried where commenced, unless change		discharged, disposition of defendant	8202
demanded	5244	no crime shown, procedure	8207

INDEX.

	<i>Section.</i>
TRIALS. Criminal Actions.—Continued.	
jury, verdict prevented, cause retried when	8228
order of, may be changed when	8180
plea of guilty, defendant must make in person	8102
withdrawn when	8103
postponement	8141
presence of defendant	8125
procedure, order of	8175
twenty-four jurors not appearing	8135
punishment, evidence regarding, how taken	8292, 8293
questions of law, court decides	8181
reasonable doubt, defendant acquitted	8185
sanity of defendant, how question tried	8400, 8401
separate, defendants may have	8187
several defendants, part convicted, procedure	8245
suspended, continued on old charge	8200
time to be given to prepare	8126
witnesses examined in presence of accused	7960
(See <i>Court, Justices'</i>)	

TRUSTEE.

appropriation, fraudulent, embezzlement	7462
embezzlement, guilty of, when	7464

TRUSTS.

General Provisions.

beneficiary defined	4257
classified	4254
constructive, relation created how	4258
creation, manner of, as to beneficiary	4260
manner of, trustee, as to	4261
trustor, as to	4260
involuntary, defined	4256
purposes for which created	4259
resulting, cannot prejudice innocent purchaser	3387
third persons, involuntary trustees, when	4276
misapplication by trustee does not prejudice, when	4277
transfer of interest in	3550
trustees, acts declared a fraud on beneficiary	4270
adverse interest, must disclose	4269
trust, may not undertake	4268
costs in actions, liable for, when	5591

	<i>Section.</i>
TRUSTS.—General Provisions.—Continued.	
trustees, cotrustees, liability for wrongful acts of	4275
defined	4257
express trusts, of, as parties to actions	5223
good faith to beneficiary	4264
influence, may not use for advantage	4267
involuntary, by fraud, etc.	4263
wrongful detention, by	4262
mingling property, liability	4272
person deemed, when	4258
presumption as to transactions with beneficiary	4271
profit, cannot make out of property ..	4265
removal on acquiring adverse interest ..	4269
transactions in which he has adverse interest forbidden when	4266
transferee of, involuntary	4276
use of property, unauthorized, liability	4274
unlawful, liability	4273
wrongful acts of cotrustees, liability ..	4275
trustor defined	4257
voluntary, defined	4255

As to Real Property.

alienation, suspension, defined	3335
author may prescribe to whom estate shall belong	3396
authorized, what are	3380
beneficiaries' interest, restraining disposal	3398
take no estate in valid	3394
created how only	3385
devise valid as power in, when	3389
estate conveyed by grant subject to	3396
remains in author, if not embraced in ..	3397
grant of, absolute in favor of creditors, etc., when	3399
implied by law, not prohibited	3384
prejudice innocent purchaser, cannot ..	3387
invalid unless created how	3385
valid as power in trust, when	3391
legal estate, who deemed to have	3381
presumed in whose favor	3386
purposes for which created	3388
surplus subject to creditor's claims when	3390
termination of	3401
transfer of estate by trustees void when ..	3400
trust estate divested when	3381
divested, when not	3382

INDEX.

	<i>Section.</i>
TRUSTS.—As to Real Property.—Continued.	
valid as power, passes property	3393
vests whole estate in trustees	3394
For the Benefit of Third Persons.	
beneficiary may enforce, when	4279
created by mutual consent of whom ...	4279
declaration of trust, declarations, prior, deemed part of	4282
object expressed in	4281
defined	4278
extinguished by what	4295
object, where expressed	4281
revocation permitted when, how	4296
survive as to cotrustees	4301
trustees, all must act, if several	4290
agents, general, for trust property ...	4289
authority	4289
care, must use ordinary	4284
claims purchased, cannot enforce ...	4288
compensation	4293
court appoints, when	4302
directions of trustor, must follow, when	4283
discharged by what	4298
expenditures, unlawful, repaid when	4292
expenses, entitled to payment of ...	4292
investment, failure to make, liability	4287
investment of trust money	4286
involuntary, through their fault, rights	4294
office vacated by what	4297
powers, discretionary, controlled how	4291
removal by court	4299
successor, appointment, duties as to	4285
vacancies, court fills, when	4300
trustor is court, when	4280
TRUSTS, POOLS AND COMBINATIONS.	
corporation, officers of, violating law against	7483
grain, etc., among dealers in, etc.	7480, 7481
punishment for forming	7482
TUITION FUND.	
(See <i>State Tuition Fund.</i>)	
UMPIRE.	
bribe, receiving, punishment	6936
gifts, accepting, misdemeanor	6939
intimidating, attempts at	6999
misconduct of, what is	6938
UNDERTAKING.	
filed where	5736
insurance company may be sole surety on	3115

	<i>Section.</i>
UNDUE INFLUENCE.	
defined	3851
thing gained by, held in trust	4263
wills, effect on	3841
UNITED STATES.	
defined as used in code of civil pro- cedure	5152
lands, rights of settlers on	5919
prisoners, compensation to sheriff for keeping	8636
UNIVERSITY OF NORTH DAKOTA.	
accounting officer	309, 313
accounts, method of keeping, (See <i>State Institutions.</i>)	309-321
board of trustees, appointment	877
compensation	891
expend funds	882
government of, in	876
meetings	879
limited	880
powers	878, 881
reports to governor	883
rules and by-laws	892
vacancies	877
courses of instruction	886, 887
departments	885
geological survey, duties of board as to	898-902
extent of	899
map of state to be prepared	902
professor of geology, state geologist ..	904
specimens, collection	901
statistics, tabulation	900
government of	881
graduates entitled to certificate to teach	889
laws furnished to, by secretary of state	894
location	875
objects	885
president, powers	884
salary of faculty fixed by board	893
state arms loaned to	896, 897
students, who may become	888
treasurer	310
tuition fees	890
UNLAWFUL ASSEMBLY.	
arrest of persons attending	7790
defined	7343
misdemeanor	7344
order to disperse	7789

INDEX.

	Section.		Section.
UNORGANIZED COUNTY.		VERDICT.—Continued.	
assessments in, (See Taxes.)		Criminal Actions.	
ferry license in, obtained how.....	1170	classes of	8233
judgment against realty in, filed where	5490	contents	8235
record of instruments in.....	3569	defendant's presence required in felony	8231
		not required in misdemeanor.....	8231
USES AND TRUSTS.		form, oral or written	8234
(See <i>Trusts as to Real Property, 3380-</i>		general, form of	8235
3401.)		general or special, when	8233
USURY.		informal, court's duty	8249
building associations, premiums of, not	3208	procedure	8250
defined	4064	judgment entered according to	7074
payments of, may be recovered	4066	preparation of	8234
penalty for	4066	prevented, action retried when	8228
railway corporations cannot plead, as		punishment in, reduced by court, when	8247
defense	2962	reconsideration by jury, when	8248
		recorded by clerk	8252
VACANCIES IN OFFICE.		return, court's duty on	8246
(See <i>Office.</i>)		returned into court when	8230
VALUABLE CONSIDERATION.		special, argument on	8239
defined	5130	entered how	8237
VALUE.		judgment on	8240
defined	5130	new trial ordered when	8241
VARIANCE.		requisites	8238
arson, immaterial, in proof	7388	written, required to be	8236
failure of proof deemed, when	5295		
immaterial, pleadings amended with-		VESSEL.	
out costs.....	5294	bill of lading, issuing fraudulently	7540
material, deemed, when	5293	defined	7719
pleadings amended on terms	5293	destruction of, willful, generally	7495
		willful, by officer	7494
VENUE.		fitting out with intent to destroy	7496
(See <i>Courts, Justices', Trials and Place</i>		gambling on board of	7244
<i>of Trial.</i>)		keeping for.....	7237
VERDICT.		master of, acts prohibited	7293
Civil Actions.		overloading, killing by, manslaughter,	
claim and delivery	5447	when	7089
classified	5444	overloading passenger vessel	7252
correcting	5443		
defined	5131	VETERINARY EXAMINERS.	
entries made by clerk	5448	board, appointment of	1616
excepted to, deemed	5463	certificates, fees for registering	1619
general, defined	5444	issue when	1617
received how	5442	recorded where	1622
sealed, when authorized	5441	examinations by	1621
special, defined	5444	meetings	1617
general, controlled by	5445	office, term	1616
jury directed to find, when	5445	organization	1617
prepared how	5445	permits to practice, fees	1618
vacated on court's motion when	5475	issue	1618
		practicing veterinary medicine, misde-	
		meanor, when.....	1620
		records	1617
		registration fee, disposition of	1619

INDEX.

	<i>Section.</i>
VETERINARY EXAMINERS.—Continued.	
services gratuitous.....	1623
veterinarians, license entitles to expert fees, when	1624
qualifications	1615
registration	1615
VETERINARY REGULATIONS.	
• animals, burial of infected.....	1601
infected, killed when	1601
seizure of, fees	1599
transit, in, law applicable to.....	1604
attorney general, duty of.....	1608
certificate of health	1603
district veterinarian, bonds.....	1605
compensation	1605
epidemic diseases, give notice of....	1601
obstructing, penalty for.....	1603
powers and duties	1598
report.....	1602
districts defined	1596
division of state	1595
epidemic diseases, notice of.....	1601
finer collected, where paid.....	1607
owners of diseased stock, duties.....	1604
quarantine, board orders.....	1600
selection of places of.....	1606
sheep inspectors, compensation approved by whom.....	1611
state's attorney, duty	1608
(See <i>State Veterinarian.</i>)	
VILLAGES.	
accounts against, audited and numbered	2368
payment of.....	2369
annexation of territory, proceedings for	2396, 2397
appropriation, how made and used....	2367
assessments, local improvements, collectible when.....	2382
costs, what included in	2383
delinquency, penalty.....	2382
lien	2381
board of trustees, corporate body.....	2363
inspectors of elections, how chosen if president disqualified.....	483
jurisdiction over public grounds....	2366
jurors, select.....	447
officers, examine records.....	307
powers	2365
president appoints inspector of elections when.....	483

	<i>Section.</i>
VILLAGES.—Continued.	
board of trustees, president, inspector of elections.....	483
vacancies how filled	2361
cities, mode of becoming	2338
clerk, blanks, to provide at village expense	308
duties of.....	2387
jurors, duty in selection of	447, 448
notice of apportionment of, to post	446
contracts of, unaffected by dissolution of.....	2399
corporate limits, additions to, how made	2394, 2395
extension of.....	2394-2397
extension and restriction of....	2437-2442
dissolution, contracts unaffected by ...	2399
petition for election.....	2398
elections, annual, when held.....	2355
highest number elects	2359
inspectors, duty.....	2359
polls open when	2356
result, statement of, recorded.....	2360
special, notice of	2364
fire departments, insurance tax for	2462-2466
firewarden, duties of	2390
incorporation, census to be taken	2345
commissioners to order	2348
election for, how conducted.....	2352
notice, how given.....	2354
result of.....	2352
polls open when	2350
inspectors of election	2351
judges of election, when	2357
notice of meeting....	2349
petition for	2347
plat to be made.....	2344
plat and census subject to examination.....	2346
indebtedness, creation of, restricted when.....	2370, 2492
justice of the peace, blanks, to provide at village expense.....	308
peace officer, is.....	2410
powers	2413
justice's court, appeals	2411
complaint, duty to hear	2405
judgment on conviction.....	2409
jurisdiction	2403
jurors, fees... ..	2414
jury, costs taxed to defendant when	2415
selection of.....	2413
open every day	2410
postponement, proceedings on.....	2406

INDEX.

	<i>Section.</i>		<i>Section.</i>
VILLAGES.—Continued.		VILLAGES.—Continued.	
justice's court, procedure in	2403-2416	treasurer, forfeitures received by jus- tices, collect	5793
trials governed how	2408	licenses, grant	2385
witnesses, duty to summon	2407	wards changed how	2449-2453
marshal, blanks, to provide at village expense	308	waterworks and fire apparatus, author- ity to provide	2459-2461
collector of taxes	2377	VOTERS.	
powers	2388	(See <i>Elections.</i>)	
name changed how	2443-2448	WAIVER.	
officers, blanks, to provide at village ex- pense	308	civil code, provisions of, by contract . . .	4968
bonds	2371	complaints, objections to	5272
books, etc., delivery to successors . . .	2372	depositions, objections to, of	5689
compensation	2391	findings of fact, of	5452
enumerated	2358	insurance, notice of loss, defects in, of	4527
oath	2362	notice of loss, delay in	4528
powers and duties	2385-2391	proof of loss, of	4529
ordinances, how proved	2417	defects in, of	4527
organization, debts not affected by . . .	2402	delay in	4528
general law, under	2401	interest, of, by accepting principal, when	4976
proof of, when necessary	2400	jury trial, of	5449
parks, may acquire	2503	law, advantage of	5075
plats	2418-2428	lien in partition, of	5801
punishment for violations of ordinances	2412	negotiable instruments, notice of dis- honor	4906, 4910, 4911
reassessment for local improvements . .	2381	notice of, not, of presentment	4910
receipts and expenditures, publication of	2386	protest, of, effect	4911
streets and alleys, vacating and locat- ing	2454-2458	performance, mode of offer, of	3815
streets and sidewalks, petition for building or repairing	2392	person of unsound mind cannot make . .	2708
trustees superintend construction and repair	2389	pledge, demand before sale, of	4761, 4762
taxes, amount determined by board . . .	2373	sale, option as to delivery of goods, of	3967
assessment roll deposited where	2376	witnesses' privilege	5704
notice of	2375	WALL.	
assessor, duties of	2374	right to use, may be held as easement	3351
certificate issued by clerk, contents	2384	WARDS.	
collector's warrant, is	2384	abduction forbidden	2718
county treasurer, collected by, when	2378, 2379	accounts, may settle, when	2828
highway, no exemption from	2383	appearance by guardian	6554
levy	2376	defined	2808
levy and collection	2373-2384	estate, account by guardian	6557
marshal, collector	2377	accounts collected by guardian	6554
powers as collector	2378	debts paid by guardian	6554
record of paid, kept by marshal	2384	inventory of, by guardian	6557
record of certificates issued	2384	rules of management	6555
statement of, filed with clerk	2384	sale of, authorized when	6561
warrant for collection	2377	investment, for, when	6562
treasurer, accounts kept how	2385	nonresident, guardian appointed when	6575
blanks, to provide at public expense	308	powers of, on majority	2828
books, etc., subject to examination . .	2385	protection, force which may be used in	2719
duties	2385	release of guardian, when	2828

INDEX.

	<i>Section.</i>		<i>Section.</i>
WARDS.—Continued.		WARRANTS.—Criminal.—Continued.	
settlement with guardian	2828	exhibit of, required on arrest	7919
support by guardian	6556	governor issues, when	8442
WAREHOUSES.		issued by judge, to whom directed....	7896
bonds, amount of	1789	magistrate, by, when.....	7891
approved by whom	1789	issuing illegally, misdemeanor, when..	7113
filed with whom.....	1789	presentment, magistrate's procedure on	8030
commissioners of railroads, powers and		served how and where	8029
duties.....	1783	procuring maliciously.....	7033
grain, delivery of, bailment.....	1792	telegraph, transmission by.....	7936
refusal to deliver, larceny, when	1793	(See <i>Search Warrant.</i>)	
refusal to deliver, on receipt, penalty	1793	Municipal.	
supervision of handling and storage	1784	city, account of, by auditor.....	2168
individuals, rights and privileges of...	1799	drawn by auditor.....	2168
insolvency, grain how applied.....	1792	county, canceled, when	1904
license, expiration of	1788	drawn by auditor.....	1974
fee determined how.....	1787	interest seven per cent.....	1935
posted conspicuously, to be.....	1788	ceases when.....	1901
posting, failure in, penalty.....	1788	issued how.....	1919
state, how obtained.....	1787	numbered	1975
public, defined	1786	payment, order of.....	1998
receipts contain what.....	1790	record	1903
issuing duplicate	7543	registry	1300, 1975
issuing fraudulent	7541, 7542	interest on after.....	1300
right of way acquired by eminent do-		state, deposit of redeemed, where.....	111
main when.....	1797	drawn by state auditor	98
construction, right of, when	1796	drawn only when funds in treasury..	98
rental determined and secured how..	1797	funding, issued by whom and when	1355
side tracks furnished by whom.....	1798	register of, state auditor keeps.....	98
rules, publication.....	1785	specifications required.....	329
storage rates	1794	WARRANTY.	
receipt to express what	1791	insurance, in, (See <i>that title.</i>).....	4503-4512
violation of law, punishment	1795	sales, in, (See <i>that title.</i>).....	3970-3985
warehousemen, property, sale of un-		WASTE.	
claimed, etc.....	4197	action for against guardians, tenants,	
public, who are	1786	etc.....	5921
WARRANTS.		action for, administrators and execu-	
Criminal.		tors may maintain.....	6469
arrest, of, delay by officer prohibited..	7904	execution sale, after, restrained	5548
form of	7892	judgment of forfeiture and eviction, to	
return of.....	7938	whom only	5922
bench, conviction after.....	8282	mortgaged premises, on, restrained...	5882
disposition of defendant.....	8286	purchaser on execution sale may re-	
form	8284	cover for	5916
felony, in	8067	WATER.	
misdemeanor, in.....	8068, 8069	boundaries by.....	3373
issued for defendant when	8066	casement in.....	3351
issued on defendant's nonappearance,		fouling, by gas tar.....	7291
when	8283	punishment for.....	7653, 7654
served in any county	8071	guards at ice cuttings	7322-7324
served how and where.....	8285	navigation, obstructing.....	7325
death, form of.....	8305		

INDEX.

	<i>Section.</i>		<i>Section.</i>
WATER.—Continued.		WIDOW.	
owned by whom	3362	allowance to	6389, 6393
pipes, breaking, punishment	7588	homestead, rights in	3626, 6389
use of, by owner of land	3362	succession, takes by, when	3742
WATERWORKS.		WILLS.	
(See <i>Cities, Local Improvements, 2312-2314.</i>)		advancements not adempptions of legacies when	3718
municipalities may provide	2459-2461	attestation, requisites of	3648
WEAPONS.		bequests, executor, to, not valid when income, of, accrue from testator's death	6384 3728
concealed, carrying, misdemeanor	7313	property, of all, passes what	3698
dangerous, accused to be searched for	8481	residue, of, passes what	3700
escape, aiding by	6951	cancellation, how proved	3660
WEATHER BUREAU.		codicil included in	3737
appropriation for	151	republishes will as modified when	3651
central station, director	148	conditional, denied probate when	3646
director, duties	149	delivered by custodian when	6284
establishment	147	deposit, county judge, with	3655
report of director	150	disposition of	3656
volunteer stations, director to supervise	149	opened after death	3657
WEIGHTS AND MEASURES.		destruction, how proved	3660
bushel consists of how many pounds	1722	devise conveys what	3677
false, destroyed by state's attorney when	7504	property, of all, passes what	3698
retaining, punishment for	7501	purchaser's rights not impaired by, when	3726
seizure	7502	residue, of, passes what	3699
tested and destroyed when	7503	sale of devised property, when	3725
using, punishment	7500	valid as power in trust when	3389
hay, ton of cubic measure	1723	devised property, partial disposal, effect of	3670
perch of stone	1724	devises, descendants of, take, when	3678
sealer, bond	1727	liability of	3739
duty on complaint made	1730	realty, of, satisfy mortgages on, when	4726
sheriff is	1726	evidence of execution and genuineness	6299
sheriff to test	1728	execution, requisites of	3648
stamping false weight or tare	7505	validity determined by laws where made	3654
standards consist of what	1725	future interests pass by	3298
duplicates, county commissioners may purchase	1726	include codicils	5135
state treasurer to keep	1725	intention of testator governs when	3732
testing, dealer to secure	1731	interpretation, all testator's property	3698
fees	1728	ambiguities explained by reference to other parts	3690
law regulating, in effect, when	1732	bequest of residue passes what	3700
regulations prescribed by whom	1729	child, unborn, included in class	3706
weights, increasing fraudulently	7308	circumstances under which made considered	3685
WEIGHMASTER.		class includes all in it	3704
appointment	1735	conditions deemed performed when	3715
compensation	1737	precedent	3713
entries, making false	7378	subsequent	3716
records	1736	conditional disposition defined	3712
removal	1737		

INDEX.

<i>Section.</i>	<i>Section.</i>
WILLS.—Continued.	
interpretation, corrections, what permitted	3707
death or survivorship relate to what time	3708
declarations, oral, excluded	3685
devise not affected by words less clear	3689
devise of residue passes what	3699
disposition on condition vests when ..	3714
every expression given effect	3692
governed by what law	3738
intention of testator governs	3684
interests in remainder unaffected ..	3711
intestacy, so as to prevent	3693
latter parts prevail	3688
owners in common in devises	3717
parts construed together	3688
passes to those entitled to succeed when	3701
realty deemed personalty when	3705
rules governing	3686
several construed together	3687
technical words	3694
unnecessary	3695
term heirs not necessary to fee	3696
testamentary disposition divested how	3709
fails when	3710
vests when	3708
words of donation, not of limitation	3702
words taken in ordinary sense	3691
law governing, if not made in state	3652
legacies, abatement, rules governing ..	3724
annuity defined	3719
due when	3730
resort for payment	3719
classified	3719
demonstrative, defined	3719
resort for payment	3719
due when	3730
general	3719
interest after due	3731
legatees for life, duties of	3727
preferred, named	3723
residuary, defined	3719
resort for payment, order of	3722
specific, defined	3719
resort for payment	3719
sale of devised property when	3725
view of death, in, satisfied before ...	3729
legatee, liability of	3739
liability for failure to deliver	6284
lost, proof, special requisites of	6298
married woman may make	3640
WILLS.—Continued.	
mutual, valid, revoked how	3645
nuncupative, requisites	3644
requisites, what not	3649
olographic, defined	3647
persons authorized to make	3639
persons of unsound mind may make, when	2708
persons who can take under	3643, 3706
persons who cannot take under	3682
property, after acquired, passes by ...	3683
devise, effect of incumbrance on ...	3669
effect of sale on	3668
embraced in power to devise, passes ..	3697
subject of	3643
revocation, classified	3659
duplicate wills, of	3662
instrument expressing intent is	3671
issue, leaving unprovided for, by ...	3665
mode of	3659
partial, defined	3661
revives former, when not	3664
revokes codicils	3672
subsequent, when	3663
total, defined	3661
undue influence, effect on	3641
validity determined by law where made	3654
depends on compliance with law ...	3653
wife, leaving unprovided for, by ...	3666
woman's marriage is	3667
sale of property devised or bequeathed when	3725
signature of testator by another	3650
succession, taking by, advancements defeat, when	3676
child omitted in will	3674
unprovided for in will	3673
shares, assignment of	3675
undue influence, effect on	3641
validity depends on compliance with law	3653
governed by what law	3738
witnesses, devise to, valid when	3680
devise to, void when	3679
gift to, valid when	3680
void when	3679
incompetency does not avoid, when ..	3681
signature, etc	3650
WITNESSES.	
Civil Actions.	
attendance, commissioners of railroads may require	3042
commissioners of railroads, failure in, penalty	3043

INDEX.

	Section.		Section.
WITNESSES.— Civil Actions. — Continued.		WITNESSES.— Criminal Actions. — Continued.	
attendance, county, out of, not compelled.....	5658	subpoena, disobeying	8370
fees, payment of, condition precedent to.....	5659	undertaking forfeited when	8372
preventing, contemplated witness ...	6983	required when.....	7972
preventing, subpoenaed witness	6982	security subsequently required.....	7976
bribing.....	6984	WOLVES.	
deceiving, punishment.....	6979	killing, (See <i>Bounties</i> .)	
exempt from service of process when..	5662	WOMAN.	
fees, advance, may demand in	5659	defilement, intent to compel	7164
daily, may demand	5663	labor, hours for	7666
generally	2097, 2098	marriage, compelling.....	7163
railroad commissioners, before	3054	intent to compel.....	7164
husband cannot be, against wife when..	5653	prostitution, inveigling to house for ...	7165
legislative assembly, neglect to attend before	6932	(See <i>Husband and Wife and Married Women</i> .)	
oath of.....	5664	WOODS.	
officers of common carriers, attendance required	3038	fring, misdemeanor, when.....	7314
perjury, disqualifies person as.....	6977	fring negligently, punishment	7315
persons, who may be, generally	5653	WOOL MARKET.	
prisoner, how examined	5660, 5661	established how.....	1808
wife cannot be, against husband when	5653	expenses of commissioners.....	1811
		proclamation of.....	1809
		property released from liens.. ..	1810
		WORDS.	
		construction of, in pleading	8045
		statutory, not strictly pursued in pleading.....	8046
		WORKS OF ART.	
		injuring, etc., misdemeanor.....	7586
		WORKS OF LITERATURE.	
		destroying, punishment for	7587
		WRECK.	
		detention of, unlawful	7270
		larceny of goods.....	7457
		marks on, defacing.....	7268
		obliterating	7268
		WRITING.	
		defined.....	7723
		forgery, defined as to	7443
		genuineness, exhibit for admission of	5643
		not admitted, costs	5643
		includes what in criminal procedure...	8506
		inspection of, order permitting.....	5644
		penalty for refusing.....	5644
		WRONGS.	
		indemnity for, valid when.....	4617
		void when	4616, 4617
		minor, etc., liable for.....	2709
		personal relation, offenses against are..	2718
		YEAR.	
		defined.....	5132
		fiscal, defined.....	302, 5144