

and conveyed by him without any order of court, and he shall receive, be accountable for and pay over the proceeds of such sale the same as the other assets in his hands.

23. SEC. 2. That any sale and conveyance heretofore made by any guardian under such circumstances shall be deemed as valid and effectual in all respects as if made under an order of court.

Sales heretofore made validated.

Gunpowder.

1. Manufactory, where not to be erected.
2. Magazine, where not to be erected.

3. Fire-proof magazines, where they may be erected.

An act to regulate gunpowder manufactories and magazines within this state.

Rev. 549.

Passed February 7, 1811.

R. S. 574.

1. That from and after the first day of May next, no person or persons whatsoever, shall be permitted within this state to erect or establish, or cause to be erected or established, any manufactory which shall be actually employed in manufacturing gunpowder, either by himself or any other person, either on his own land or the land of another, within the distance of a quarter of a mile from any town or village, or house of public worship, or within the distance of a quarter of a mile from any dwelling-house, barn or outhouse, without the consent, under hand and seal, of all and every, the owner or owners of such dwelling-house, barn or outhouse, as aforesaid; and any person so offending shall be guilty of a misdemeanor, and on conviction thereof shall be fined any sum not exceeding two thousand dollars; *provided*, nothing in this section shall be so construed as to prevent the completing, rebuilding or repairing any powder mill now erected or erecting in this state on the site on which the same shall be now erected or erecting.

Manufactory, where not to be erected.

2. That no person or persons hereafter shall be permitted to erect or cause to be erected any powder magazine within this state, either upon his own land or the land of any other person, and actually deposit gunpowder therein, within the distance of half a mile from any town or village, house of public worship, dwelling-house, or outhouse; and any person so offending shall be guilty of a misdemeanor, and on conviction thereof shall be fined not exceeding the sum of two thousand dollars.

Magazine, where not to be erected.

Supplement.

Approved February 22, 1850.

P. L. 1850, p. 115.

3. SEC. 1. That the second section of the act to which this is a supplement, be so modified as to allow any person or persons to erect fire-proof magazines for storing not more in quantity than one hundred kegs of gunpowder, of twenty-five pounds each, at any one time, one-fourth of a mile from any town or village, house of public worship, dwelling-house, or outhouse.

Fire-proof magazines, where they may be erected.

Habeas Corpus.

I. WHO ENTITLED TO THE WRIT.

1. Who may sue out writ.
2. Who may not.

II. THE APPLICATION FOR THE WRIT, ITS FORM, &c.

3. Application for writ.
4. Contents of petition for writ, and how verified.
5. Writ to be granted forthwith.
6. Form of writ.
7. Not to be disobeyed from defect of form.
8. How writs sealed and certified.

III. SERVICE OF THE WRIT.

9. Service of writ.
10. *Ib.*, when person conceals himself.
11. Fees must be tendered; when bond required.
12. Last section not applicable when state is actor.
13. Officers, &c., to obey writs served on them.

IV. RETURN OF WRIT AND PROCEEDINGS THEREUPON.

14. Return, when to be made.
15. Contents of return.
16. Person making return may be examined.