

DEC. 15, '53. § 23c3

parent or guardian of the minor, if there be any who executed the indenture, and execution therefor to be issued accordingly; and if there be no parent or guardian liable for such costs, the amount thereof may be recovered in an action against the minor after that he shall arrive at full age, and any minor discharged as aforesaid, may be bound out anew.

Ibid., § 24.

Death of master

§ 58. No indenture of apprenticeship or service made in pursuance of this title shall bind the minor after the death of his master; but the apprenticeship or service shall be thenceforth discharged, and the minor may be bound out anew.

Ibid., § 25.

Provisions of this title to apply to females.

§ 59. Any indenture of apprenticeship or service made in pursuance of this title, by or in behalf of a minor, may be made either with a woman or a man, and all the foregoing provisions shall apply as well to mistresses as to masters.

Ibid., § 26.

Common law right of father not affected

§ 60. Nothing contained in this title shall prevent or affect the right of a father, by the common law, to assign or contract for the service of his children for the term of their minority or any part thereof.

TITLE IV.

Of the adoption of children and change of name.

§ 61. Application to adopt child, to be made to county court; husband and wife must join in petition.

§ 62. Parents of child must consent to adoption; how consent obtained if parent dead.

§ 63. Proceeding, when parent insane, imprisoned, or has deserted child.

§ 64. Notice to parent who does not consent; publication of notice.

§ 65. Consent of child when necessary.

§ 66. Adoption, when court to decree, and nature thereof.

§ 67. Decree of adoption, effect of; exception.

§ 68. Adoption terminates the relation of parent and child.

§ 69. Appeal from decree of county court.

§ 70. Parent, when may apply to circuit court to reverse the decree of county court.

§ 71. Application for change of name, to be made to county court.

§ 72. Notice of application for change of name; notice of decree and certificate thereof.

§ 73. Change of name of adopted child.

§ 74. Judge to report changes of names annually to secretary of state.

Oct. 24, '64; § 1.

Application to adopt a child.

Husband and wife must join.

§ 61.¹ Any inhabitant of this state may petition the county court in the county of his residence for leave to adopt a child not his own, and if desired, for a change of the child's name; but the prayer of such petition by a person having a husband or wife shall not be granted unless the husband or wife joins therein.

Ibid., § 2.

Parents to consent.

Consent, how obtained.

§ 62. The parents of the child, or the survivor of them, shall, except as herein provided, consent in writing to such adoption. If neither parent is living, the guardian of the child, or if there is no guardian, the next of kin in this state, may give such consent; or if there is no next of kin, the court may appoint some suitable person to act in the proceedings as next friend of the child, and give or withhold such consent.

Ibid., § 3.

When parent insane, etc.

§ 63. If either parent is insane or imprisoned in the state prison, under a sentence for a term, not less than three years, or has wilfully deserted and neglected to provide proper care and maintenance for the child for one year next preceding the time of filing the petition, the court

¹ Entitled "An act to provide for the adoption of children;" and took effect as provided in § 15 thereof, from approval.

shall proceed as if such parent were dead, and in its discretion may appoint some suitable person to act in the proceedings as next friend of the child, and give or withhold the consent aforesaid. OCT. 24, '64, §3.

§ 64. If a parent does not consent to the adoption of his child, the court shall order a copy of the petition and order thereon, to be served on him personally if found in the state, and if not, to be published once a week, for three successive weeks, in such newspaper printed in the county as the court directs, the last publication to be at least four weeks before the time appointed for the hearing. Like notice shall also be published when a child has no parent living, and no guardian or next of kin in this state. The court may order such further notice as it deems necessary or proper. Ibid., § 4.
Notice to the parent.

§ 65. If the child is of the age of fourteen years or upwards, the adoption shall not be made without his consent. Ibid., § 5.

§ 66. If, upon such petition so presented and consented to, the court is satisfied of the identity and relations of the persons, and that the petitioner is of sufficient ability to bring up the child, and furnish suitable nurture and education, having reference to the degree and condition of the parents, and that it is fit and proper that such adoption should take effect, a decree shall be made setting forth the facts, and ordering, that from the date of the decree the child shall, to all legal intents and purposes, be the child of the petitioner. When consent of child necessary.
Ibid., § 6.
When court to decree adoption.
Decree, and effect of it.

§ 67. A child so adopted shall be deemed, for the purposes of inheritance of such child, and all other legal consequences and incidents of the natural relation of parents and children, the child of the parents by adoption, the same as if he had been born to them by lawful wedlock; except that he shall not be capable of taking property expressly limited to heirs of the body or bodies of the parent by adoption, nor property from the lineal or collateral kindred of such parents by right of representation. Ibid., § 7.
Adopted child, what deemed.
Exception.

§ 68. The parents of such child shall be deprived by the same of all legal rights as respects the child; and the child shall be freed from all obligations of maintenance and obedience as respects his parents. Ibid., § 8.
Adoption terminates relation of parent and child.

§ 69. Any petitioner may appeal to the circuit court from the decree of the county court on each petition, in like manner as appeals may be taken from the other decrees of that court; and any child made the subject of such petition may, by a next friend, appeal in like manner; but no bond shall be required, or costs awarded against such child or next friend. Ibid., § 9.
Appeal from decree of court.

§ 70. A parent who has not, before the hearing upon a petition for the adoption of his child, had personal notice thereof, may at any time within one year after actual notice, apply to the circuit court to reverse the decree; said court, after due notice, may in its discretion reverse the same, if it appears that any of the material allegations in the petition were not true. Ibid., § 10.
When parent may appeal.
Power of circuit court.

§ 71. Applications for change of names of persons may be heard and determined by the county courts in the several counties. No lawful change of the name of a person, except a woman upon her marriage or Ibid., § 11.
Application for change of name.

OCT. 24, '64, § 11. divorce, shall be made in this state, unless for sufficient reasons consistent with the public interest, and satisfactory to said court in the county where the party resides.

Ibid, § 12.

Notice of appli-
cation.

Notice of decree
changing name.

Certificate
thereof.

Ibid, § 13.

Change of name
of adopted child

Ibid, § 14.

Judge to report
change of names
to the secretary.

§ 72. Before decreeing a change of name, except as provided in the following section, the court shall require public notice of the application thereof to be given, that all persons may offer and show cause, if they have any, why the same should not be granted. The court shall also require public notice to be given of the change decreed, and on return of proof thereof, may grant certificate, under the seal of the court, of the name the party is to have, and which shall thereafter be his legal name.

§ 73. If, in a petition for the adoption of a child, a change of the child's name is requested, the court upon decreeing the adoption, may also decree such change of name, and grant a certificate thereof, without the notices required by the preceding section.

§ 74. Each judge shall annually, in the month of December, make a return to the office of the secretary of state of all changes of names made in the court under this title, and the same shall be published in a tabular form with the statutes of the following year.

TITLE V.

Of the age of majority.

§ 75. Majority of males and females, time of.

§ 76. Past contracts by females over eighteen
years of age, declared valid.

§ 77. Marriage of females equivalent to majority.

Oct. 11, '64, § 1.

Majority of
males and fe-
males.

§ 75.¹ That in this state, male persons shall be deemed to have arrived at majority at the age of twenty-one years, and females at the age of eighteen years, and thereafter shall have control of their own actions and business, have all the rights, and be subject to all the liabilities of citizens of full age.

Ibid, § 2.

Past contracts
by females.

§ 76. All contracts, conveyances, or other writings, executed heretofore, by female persons between the ages of eighteen and twenty-one years, whether married or unmarried, shall be taken, deemed, and held to be of as binding force and effect, as if made after arriving at the age of twenty-one years.

Ibid, § 3.

Marriage of
females.

§ 77. All female persons shall be deemed to have arrived at the age of majority, upon their being married according to law.

CHAPTER XIV.

OF ELECTIONS—RESIGNATIONS, VACANCIES AND TERM OF OFFICE.

TITLE I. *Of general elections, and conduct of the same.*

II. *Of the canvass by the judges and clerks.*

III. *Of the canvass by the county clerk—the secretary of state and the governor.*

¹ Entitled "An act fixing the time of majority."

and took effect by operation of the constitution, Jan. 20, 1865.