

HABEAS CORPUS.

PROPERTY
STATE OF THE
1531
OF MARYLAND

without proper care and guardianship under this section, the parent or custodian should be duly notified to appear before the person trying such minor at the time and at the place of the trial, if such parent, guardian or custodian can be located, and all courts or justices of the peace acting under the provisions of this section are vested with all the incidental powers necessary to the effectual execution of the powers herein enumerated.

See art. 23, sec. 192. For provisions "For the Protection of Minors," see art. 27, sec. 378, *et seq.*; see also arts. 26 and 100.

An. Code, sec. 19. 1904, sec. 19. 1888, sec. 19. 1886, ch. 57. 1900, ch. 306.

20. A minor held in any custody, under a commitment or otherwise, for care and guardianship is said to be in private custody within the meaning of section 21.

An. Code, sec. 20. 1904, sec. 20. 1888, sec. 20. 1888, ch. 79. 1890, ch. 70.

21. Whenever a minor is brought before a court or judge upon *habeas corpus* in private custody, the court or judge, in the determination of the case shall be guided and controlled by a parental consideration of what is demanded by the best interests of such minor, and the custody shall be determined without regard to technicalities of procedure and without reference to any alleged technical claim or right of custody; the minor, when brought up by *habeas corpus*, shall be deemed to be in the custody of and subject to the order of the court or judge issuing the writ or hearing the case and the court or judge may adjourn the examination from time to time, and shall not allow the proceedings to be controlled by the parties thereto, or any of them, and it shall not lie within the power of the parties, or any of them, to dismiss the case or settle it; a minor, in such proceeding may be removed from the custody of his parent, appointed guardian, or other legal custodian; he may be committed to the care of any person, body corporate or institution, upon such terms and for such period as the court or judge may deem beneficial; if it be made to appear that such course is demanded by the temporal or moral welfare of the minor, it shall be the duty of the court or judge to commit him to the care or custody of any charitable, reformatory or other institution incorporated under the laws of this State subject to the discipline and regulations of such institution, and to the further order and direction of the court or judge; and any court or judge disposing of the custody of a minor upon *habeas corpus* may assume and retain jurisdiction over such minor in as ample a manner as a court of chancery, or judge of a court of chancery upon bill or petition, and may pass such other and further orders in relation to his care and custody as may be deemed just and beneficial.

Uniform Act for the Extradition of Persons of Unsound Mind.

An. Code, sec. 21. 1918, ch. 150, sec. 21.

22. (Name of the sub-title.) This sub-title may be cited as the Uniform Act for the Extradition of Persons of Unsound Mind.

As to insanity as a defense in criminal cases, see art. 59, sec. 6, *et seq.*