

Herring.

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Har. 14.

An act to regulate the packing of herring for exportation.

R. S. 1043.

Passed November 27, 1821.

In what condition herring must be packed, and in what casks.

1. That all herring designed for exportation, which shall be packed after the passing of this act, shall be sound and merchantable, well packed and well secured, with a proper quantity of salt and pickle, in tight casks, made of good, sound, well seasoned white oak timber, hooped with at least fourteen good and substantial hoops, secured at each bilge with three pins, and at each head or chime hoop with at least three nails; and the casks shall be of the following dimensions, viz: the length of the stave, when in the cask, shall be twenty-seven and a half inches; the head, seventeen and a half inches; the bilge, twenty inches; and to contain twenty-eight gallons, wine measure; and every half barrel containing herring designed for exportation shall be of the gauge of fourteen gallons of the measure aforesaid; and each and every barrel or half barrel of herring designed for exportation shall be branded with the initial letters of the christian name, and the surname at full length, of the person or persons putting up the same, or of the person selling such herring, under the penalty of fifty cents for each and every barrel or half barrel sold and delivered, not branded as aforesaid; and in case the aforesaid barrels or half barrels of herring, not being branded as aforesaid, and after the fine being paid, the inspector appointed by virtue of this act may brand them with his name, in the manner hereafter described, for which he shall demand and receive from the person selling the same, the sum of six cents for each barrel or half barrel.

Dimensions of the casks.

To be branded.

What casks are legal.

2. That herring designed for exportation may be packed in tight casks made of any kind of timber, if sound and merchantable, well packed and secured with a proper quantity of dry salt, the casks to be of the same size and dimensions as is designated by the first section of this act, and secured by being hooped with at least twelve good and sufficient hoops, and nailed or pinned as directed in the first section.

To be examined by an inspector.

3. That every barrel or half barrel of herring designed for exportation shall, before the exportation thereof, be carefully examined by an inspector appointed by virtue of this act, who shall pass as merchantable, and brand with the brands hereinafter described, each and every barrel or half barrel, being of the materials hereinbefore directed and described, which shall respectively contain the proper quantity of sound and merchantable herring, and be secured in manner aforesaid; and the said inspector shall erase and effectually deface the brand, mark, or marks off and from each and every barrel and half barrel containing herring designed for exportation as aforesaid, which shall not be of the dimensions, and made in the way hereinbefore described, and which shall not be of the quality, and packed and secured in the manner hereinbefore directed and described; and if the same cannot be rendered merchantable, according to the requirements and meaning of this act, by salting, pickling, repacking, and coopering thereof, then the said inspector shall impress and brand a cross thus, X, each stroke of said cross being at least two and a half inches in length, upon one head of each and every barrel or half barrel containing herring so as aforesaid incapable of being rendered merchantable.

If not merchantable to be crossed.

4. That each and every person or persons, who shall sell and deliver any barrel or half barrel of herring for exportation to the purchaser or purchasers thereof, before the same has been duly examined by an inspector appointed by virtue of this act, and branded with the brands herein directed for branding the same, or who shall lade or ship on board of any vessel or vessels for exportation, or who shall refuse to allow or suffer the said inspector, in the cases aforesaid, to erase and effectually deface the brand, mark, or marks off and from every barrel and half barrel of herring, and if need be, to impress and brand thereon the said mark of a cross as aforesaid, shall forfeit and pay for each and every barrel or half barrel so sold or delivered, and for each and every barrel or half barrel so laden or shipped on board any vessel or vessels as aforesaid, and for each and every barrel or half barrel from which he, she, or they shall refuse to allow or suffer the said brand, mark, or marks to be erased and effectually defaced as aforesaid, and for each and every barrel or half barrel whereon he, she, or they do refuse to allow or suffer the said mark of a cross to be impressed and branded as aforesaid, the sum of one dollar and twenty-five cents; and all and every person or persons who shall, by any means whatsoever, wilfully erase or deface the said mark of a cross, after the same has been duly impressed and branded by the said inspector upon any barrel or half barrel as aforesaid, shall forfeit and pay the sum of twenty dollars for each and every barrel and half barrel off and from which the said mark of a cross shall be erased or defaced, the said sums of money or forfeitures to be recovered and applied in the manner hereafter provided and declared.

Penalty on those who sell without inspection.

How to be recovered.

5. That the inspectors appointed by virtue of this act, may lawfully demand, receive, and take from the person or persons selling the same, the sum of twenty-five cents for each and every barrel or half barrel of herring he may repack; and for each and every barrel or half barrel of herring he shall fill up and head, the sum of eight cents; and for inspecting, examining, and branding every barrel or half barrel of herring, the sum of eight cents; and for each and every barrel or half barrel of herring exported from any port in this state, the customary allowance and compensation for the expense and trouble of cooping and putting the same into good and merchantable order and condition; *provided*, that it shall and may be lawful to and for the owner, owners or sellers of such herring to employ any person or persons, other than the said inspector, to do, execute and perform the cooperage necessary to put the same in good and merchantable order and condition as aforesaid; and in that case the said inspector shall not be entitled to have or receive any allowance or compensation whatsoever, for or on account of said cooperage.

Compensation for inspection.

Proviso.

6. That each and every barrel and half barrel of herring, inspected and branded as is by this act required, shall, if lying on hand and unsold, and not exported from this state for six months from and after such inspection and branding, before sale or delivery, be again examined by the said inspector, and if found sound and merchantable, agreeably to the intent and meaning of this act, they shall or may be exported as aforesaid, but if unsound, they shall be subject to the same regulations as stated in the third section of this act; and the said inspector shall have and receive, from the person or persons selling the aforesaid barrels or half barrels of herring, for his expense and trouble for opening, examining and heading each and every barrel as aforesaid, the sum of three cents.

When casks re-examined.

7. That all and singular the forfeitures and penalties in and by this act imposed, shall be collected by the said inspector, with costs of suit, in any court having cognizance thereof, one-half thereof to and for his own use, the other half, when recovered, to be paid by the said inspector to the overseers of the poor of the town or place where the offence shall be committed, for the use of the poor thereof.

Penalties how to be recovered, and for whom.

8. That the governor, or person administering the government of this state for the time being, on the application and recommendation of the common council of any city or town corporate, or on the application and recommendation of twelve respectable freeholders of any other town within this state, may appoint and commission one or more inspectors and repackers of herring (who shall not be dealers in said articles) in such parts of the state as may be deemed necessary and expedient.

Inspector how to be commissioned.

- Oath to be taken, and filed. 9. That each and every inspector and repacker of herring, appointed and commissioned as aforesaid, shall, before he enters upon the execution of the said office, take and subscribe the following oath or affirmation, before one of the justices of the supreme court of this state, or before one of the judges of the court of common pleas in and for the county in which the duties of such office are to be exercised, viz: I, A. B., do solemnly swear (or affirm), that I will faithfully, truly and impartially, according to the best of my judgment, skill and understanding, execute the office and duty of an inspector and repacker of herring, according to the true intent and meaning of the laws of this state relative to the same; and that I will not directly or indirectly brand, or suffer to be branded, any casks of herring but what shall be sound and merchantable, agreeably to the said laws. A copy of which said oath or affirmation, subscribed by the person appointed as aforesaid, and signed by the officer by whom it was administered, shall be filed in the office of the clerk of the county where the said inspector and repacker usually resides.
- Term of office. 10. That the said inspectors shall hold their offices for the term of five years from the time of their appointment, and no longer; but upon being again recommended as aforesaid, may be reappointed.
- Casks, how to be branded. 11. That the said inspectors and repackers shall provide themselves with, and brand every barrel and half barrel of herring, as follows: "New Jersey herring;" and also the initial letter of his christian name and his surname at full length, together with the name of the place where inspected or repacked.
- Penalty for using casks a second time. 12. That no person or persons shall use casks which have been emptied, after being branded as aforesaid, a second time, unless they shall first erase and effectually deface the repacker's brand off and from every such cask, under the penalty of twenty dollars for every such cask so used.
- Penalty for neglect or delay. 13. That if any inspector or repacker of herring shall neglect or delay to inspect or repack any herring, when thereunto required by the owner or possessor thereof, for the space of forty-eight hours, every such inspector or repacker shall, for each neglect, pay to such owner or possessor the sum of two dollars per barrel or half barrel.
- Penalty on inspector for offences committed. 14. That for every offence which the said inspectors and repackers shall commit against the true intent and meaning of this act, and be thereof convicted, he or they so offending shall forfeit the sum of twenty dollars, and be rendered incapable of serving again in said office.
- Disputes to be settled by referees. 15. That if any dispute shall happen between the said inspectors or repackers and the possessor of such herring, concerning the soundness or package of the same, or the soundness or contents of the casks, it shall be lawful for any justice of the peace of the city or county where the said dispute arises, upon application to him made, and he is hereby required to issue his warrant to two indifferent, judicious persons of skill and integrity, to view and search the said herring together with the cask in which they are contained, and make report forthwith, after having examined the same, to the said justice, (which report shall be in writing, and to which they shall swear or affirm), according as they find the same; and the said justice is hereby empowered and required to give judgment accordingly; and in case the said herring shall be found to be unfit for exportation, the said justice shall order them not to be exported, under the penalty of forfeiting all such herring, and also award the owner or possessor to pay the said inspector and repacker the sum of twenty-five cents per cask, for all such herring as shall be judged not fit for exportation as aforesaid, with reasonable charges; but in case the said herring, upon trial as aforesaid, shall be found good and merchantable, according to the directions of this act, the charges of prosecution shall be paid by the inspector.
- Inspectors authorized to enter on board of vessels. 16. That the said inspectors shall have full power by virtue of this act, and without any further or other warrant, to enter on board any ship, sloop or vessel whatsoever, lying or being in any port or place in this state, to search for and make discovery of any herring shipped for exportation, and if the owner or possessor, or their servants or others, shall deny him or them entrance, or if the said inspectors shall be in any way molested in making such discovery as aforesaid, every such person shall forfeit and pay the sum of twenty dollars; or if any person or

persons shall ship off any cask or casks of herring, not branded as is herein-before required, every such person so offending shall forfeit and pay the sum of one dollar and twenty-five cents for every cask so shipped.

17. That salted herring, in barrels or half barrels, which shall have been brought or imported from any place or places without the bounds and limits of this state, with the name of the state, town or place from which the same shall have been brought or imported, branded or marked at full length, and in plain legible manner thereon, and which shall be exported with the same name so as aforesaid branded or marked thereon, and not as the herring of New Jersey, shall not be liable to examination by the inspectors herein appointed, but the same may be lawfully exported without inspection.

Foreign herring not subject to inspection.

Holidays, Legal.

1. What days are legal holidays.

2. Bills of exchange and promissory notes falling due on legal holidays when to become payable.

An act in relation to legal holidays.

Approved April 4, 1876.

P. L. 1876, p. 73.

1. That the first day of January, twenty-second day of February, thirtieth day of May, fourth day of July, thanksgiving day, twenty-fifth day of December, and all days upon which any general election shall be held for members of assembly, in each year, shall be a legal holiday, and no court shall be held upon said days except in the cases where said courts would now sit upon the first day of the week, and no person shall be compelled to labor upon any of said days by any person or corporation.

Legal holidays.

2. That when the days named in the first section shall happen on Monday, all bills of exchange and promissory notes becoming due and payable on such Monday, shall be due and payable on the Tuesday following; and if any or either of said days shall happen on Sunday, the Monday following shall be a legal holiday, and all bills of exchange and promissory notes becoming due and payable on said days, shall become due and payable the Tuesday following; and when any of said days above mentioned shall happen on Sunday or Monday, it shall not be necessary to give notice of the dishonor of such bills of exchange or promissory notes until the Wednesday next after such Sunday or Monday, and every such notice so given as aforesaid shall be valid and effectual to all intents and purposes.

Bills of exchange and promissory notes falling due on legal holidays when to become due and payable.

Infants.

1. Minors in certain cases to be wards in chancery.
2. Chancellor to appoint guardian.
3. May direct sale of lands.
4. Sale, etc., to be approved by chancellor.
5. Interest of purchaser in real estate.
6. Sale may be free from curtesy or dower or estate for life or years.
7. Married women may release without husband joining.
8. Guardians to account.
9. Proceeds of sale may be ordered to be paid to general guardian.
10. Before order shall be made, general guardian shall give security.
11. In case of death new guardian to be appointed.

12. Rent charge and rent reserved on any conveyance of land in fee, to be included in words land and real estate.
13. Tavern keepers prohibited from entertaining minors.
14. Store keepers likewise prohibited.
15. Debts so contracted, void.
16. Who deemed a minor.
17. What a legal day's labor.
18. Labor of minors in factories regulated.
19. Construction of word factory.
20. Minors over the age of sixteen years may be employed.
21. Custody of minor children of parents living in a state of separation.
22. Act extended to all cases unless there is a decree of divorce.

An act relative to the sale and disposition of the real estates of infants.

R. S. 550.

Revision—Approved March 27, 1874.

P. L. 1861, p. 48.
 " 1864, p. 312.
 " 1865, p. 790.
 " 1866, p. 964.
 " 1870, p. 13.

1. That whenever an infant shall be seized of any lands or tenements, or be entitled to any term to come in any lands in this state, and it shall be represented to the chancellor, on behalf of said infant, by his or her