

Managers, &c.,  
may assign such  
indentures.

**109. SEC. 3.** That the managers, trustees or other governing body of any children's home to which any child shall be indentured under the provisions of this act, shall be authorized and empowered to assign such indenture to any proper person who will take upon himself the care, support, education and maintenance of such indigent child under the supervision and oversight of such governing body.

Managers, &c.,  
may apprentice  
children to serve  
as clerks, &c.

**110. SEC. 4.** That the managers, trustees or other governing body of any children's home to which any child shall be indentured under this act shall have authority at any time to apprentice such child, with his or her own free will and accord, to serve as a clerk, apprentice or servant, in any art, craft, mystery, profession, trade, employment, manual occupation or labor, until, if a male, he arrives at the age of twenty-one years, and if a female, until she arrives at the age of eighteen years, or for any shorter time by indenture as its father and mother might do under the provisions of the act entitled "An act respecting apprentices and servants," approved April tenth, one thousand eight hundred and forty-six, and the supplements thereto.

Judges of common  
pleas may commit  
poor children to  
the care of the  
managers of any  
duly-incorporated  
children's home.

**111. SEC. 5.** That any order made by the judges of the court of common pleas of any of the several counties in this state committing any poor child or children to the care and control of the trustees or managers of any such duly-incorporated children's home under the provisions of the act entitled "An act for the settlement and relief of the poor," approved March twenty-seventh, one thousand eight hundred and seventy-four, and the several supplements thereto, shall give to such managers or other governing body the same control over and custody of such child or children with the same duty as to education and support as if the latter were indentured under the provisions of this act.

## Port Wardens.

**1. Appointment of port wardens.**

Wardens to keep records of proceedings, &c.

**3. Duty in examining damage to any cargo.**

**4. May examine goods in any warehouse, &c.**

**5. Wardens to attend sales of vessels condemned, damaged goods, &c.**

**6. Amended by section 7.**

**7. Who may act as port warden. Penalty for violation.**

**8. No person not appointed to assume to act as port warden.**

**9. By whom certificates, &c., shall not be issued.**

**10. No person not appointed to advertise himself as port warden.**

**11. Penalty for violation.**

**12. Additional penalty.**

### An act to authorize the appointment of port wardens in certain cities of this state.

Approved April 5, 1878.

P. L. 1878, p. 296.

Appointment of  
port wardens.

Term of office.

Wardens to keep  
record of all acts  
and proceedings.

May examine  
witnesses, &c.

Office to be kept  
in county for  
which warden is  
appointed.

**1.** That the governor may nominate and, by and with the consent of the senate, appoint one port warden for each county of this state in which there is a town or city of more than ten thousand inhabitants, situate on any bay, harbor or navigable stream in this state, who shall each hold his office for the term of five years and thence until his successor is appointed.

**2.** That it shall be the duty of each of the said wardens to keep, in such books as may be necessary, a full, true and complete account and record of all his acts, proceedings, surveys and reports, and such books shall be open to the inspection of any person interested therein; and said wardens shall each have full power and authority to administer oaths, examine witnesses and take affidavits concerning the business of said office; and all willful false swearing, under such oaths, shall be deemed perjury and punished accordingly; and the said wardens shall each keep an office in the county in and for which he is appointed, which shall be kept open during business hours (Sundays and holidays excepted); and they shall each have the exclusive right to perform all the duties of port warden for the county in and for which he is appointed, as specified in this act.

3. That it shall be the duty of said warden, on being notified and requested by any of the parties in interest, to proceed in person on board of any vessel for the purpose of examining the condition and stowage of cargo; and if there be any goods damaged on board said vessel, he shall inquire, examine and ascertain the cause or causes of such damage and make a memorandum thereof, and enter the same in full upon the books of his office; and if, after the arrival of any vessel at any place in this state, the hatches shall be opened first by any person other than the warden of the county in which such place is situate, and the cargo, or any part thereof, shall come from on shipboard in a damaged condition, the facts shall be presumptive evidence that such damage occurred in consequence of improper stowage or negligence on the part of the persons in charge of the vessel, and such default shall be chargeable to the owner, consignee, master or other persons in interest (as part owner or master of said vessel), each and all of whom shall be primarily liable for such damage; and the said warden shall be the exclusive surveyor of any vessel which may have suffered wreck or damage, or which shall be deemed unfit to proceed to sea, and shall examine the condition of the hull, spars, sails, rigging and all appurtenances thereof, and he shall call to his aid one or more carpenters, sailmakers, riggers, shipwrights or other persons skilled in his profession to aid him in his examination and survey; *provided, however,* such person shall not be interested therein; and all parties so called shall be sworn, and shall each be allowed a fee of two dollars, to be paid by the parties requiring said examination; the said warden shall specify what damage has occurred, and record in the books of his office a full and particular account of all surveys held on said vessel; he shall also be the judge of the repairs necessary to render said vessel again seaworthy, or for the safety of said vessel and cargo on her intended voyage; he shall also have exclusive cognizance of all matters relative to the surveys of vessels and their cargoes arriving at any place in his county in distress or damaged while at such place; and he shall be the judge of its fitness to be reshipped to its port of destination or whether it shall be sold for the benefit of whom it may concern; he shall also, if called upon to do so, estimate the value or measurement of any vessel when the same is in dispute or libeled, and record the same in the books of his office.

Warden required to proceed in person to examine and ascertain cause of damage of cargo.

Damage through default, to whom chargeable.

Warden to be the exclusive surveyor.

Proviso.

4. That it shall be the duty of the said warden, on being notified and requested so to do by any of the parties in interest, to proceed in person to any warehouse, store or dwelling, or in the public streets, or on the wharf, and examine any merchandise, vessels, materials or other property said to have been damaged on board of any vessel, and inquire, examine and ascertain the cause or causes of such damage, and make a memorandum thereof, and of such property, and record in the books of his office a full and complete statement thereof; and it shall be the duty of said warden, when so requested, to furnish a certificate of any record in the books of his office to any parties interested therein, upon paying to said warden the regular fee for said certificate; all certificates issued shall be under the seal of said warden and shall be duly signed by him, and said certificate shall be evidence of the existence and contents of such record in any court of this state; in all cases of inquiries, examinations and surveys relating to vessels and cargoes on board thereof, as specified in this act, the said warden shall give notice to all persons interested in or having charge of the subject-matter of such inquiry, examination or survey, by advertising in at least two of the newspapers issued daily in the county where such proceedings may be had, or such other papers as the said warden may deem necessary, of the pendency of such inquiry, examination and survey, and of the time and place of completing the same; the expense thereof shall be added to and paid with the fee for making such inquiry, examination or survey.

May examine goods said to have been damaged on board vessel, in any warehouse, store or dwelling.

Notice to be given by advertisement in all cases of inquiry, &c.

5. That it shall be the duty of said warden to attend personally all sales of vessels when condemned, vessels' materials and goods in a damaged state, which shall be sold at public auction by reason of such damage, for the benefit of the owners or underwriters, or for account of whom it may

Warden to attend sales of vessels when condemned, &c.

Notice of sales to be given to warden.

Warden to certify cause of damage, amount of sales, &c., when required.

Fees for survey.

Fees for certificate.

concern; and it shall be the duty of auctioneers making such sales to give due notice thereof to the said warden, and all such sales shall be made by auctioneers under the direction and by order of said warden, for which service he shall be entitled to receive a commission of one per centum on the gross amount of sales thereof, to be paid to said warden on demand by the auctioneer making such sale; and it shall be the duty of auctioneers to make monthly statements to said warden of his county, specifying the total amount of each day's sales made by them under this act, which statement shall be filed in the office of said warden; and said warden, when required by the owner or consignee thereof, shall certify the cause of such damage, the amount of such sales and the charges on the same, all of which shall be recorded in the books of said office; and said warden shall be allowed for each and every survey held on board of any vessel, on hatches, stowage of cargo or damaged goods, or at any warehouse, store or dwelling, or in the public street, or on the wharf, within the limits of said county, on goods said to be damaged, the sum of two dollars, and for each and every certificate given in consequence thereof, the sum of one dollar; and for each and every survey on the hulls, sails, spars or rigging of any vessel damaged, on arriving at any place in his county in distress, the sum of five dollars; for each and every certificate given in consequence thereof, the sum of two dollars and fifty cents, and for each valuation or measurement of any vessel, the sum of ten dollars.

6. [Amended by Sec. 7, *post.*]

#### Amendatory act.

Approved February 27, 1889.

P. L. 1889, p. 33.

7. SEC. 1. That section six of an act entitled "An act to authorize the appointment of port wardens in certain cities of this state," approved April fifth, one thousand eight hundred and seventy-eight, be and the same is hereby amended so as to read as follows:

Unlawful for any person except the warden appointed to assume to act.

[That it shall be unlawful for any person or persons, except the warden appointed under this act, to assume to act as port warden, or assume to perform, or perform under any name or title, any work, service or duty of any kind or description which such port warden may perform or which it may be lawful for any owner, consignee or other person to require such port warden to perform, or to undertake the performance of any of the duties prescribed in this act or pertaining to the said office, whether or not the port warden has been notified or requested to act; and it shall be unlawful for any person or persons to employ, aid or suffer any other person than the legally-appointed warden to perform any of such duties; and it shall be also unlawful for any person or persons to issue certificates of surveys on vessels, vessels' materials or goods damaged, with the intent to defeat or defraud the provisions of this act; and any person or persons violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine not exceeding five hundred dollars or imprisonment at hard labor for a term not exceeding one year, or both, and further, shall forfeit and pay to the warden of the county in which such violation shall occur, a penalty of one hundred dollars for each offense, to be sued for and recovered by the said warden of such county, or his successor in office, under his proper name and title, in any court of civil jurisdiction of this state; and further, that it shall be lawful for the chancellor, on petition duly verified by a port warden duly appointed, representing that any person is performing the duties of port warden, or is acting as such, or in any way interfering with the duties of such port warden, or in any other way violating any of the provisions of this act, to issue a peremptory injunction against any such person, restraining and enjoining him from so acting.]

Penalty.

POULTRY ASSOCIATIONS.

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An act to forbid the assumption of the title of port warden by persons not duly appointed.

Approved March 8, 1882. P. L. 1882, p. 67.

8. SEC. 1. That no person not duly appointed by the governor, by and with the consent of the senate, to the office of port warden, shall within this state assume to be a port warden or give himself out as such.

Assumption of title forbidden by persons not duly appointed.

9. SEC. 2. That no person shall, within this state, make, sign or issue any certificate, report or other paper purporting to be made or signed by any person not so appointed, in which certificate, report or paper such person not so appointed, as provided in section one of this act, is designated or described as a port warden, whether of this or any other state, or any subdivision thereof.

By whom certificates, &c., shall not be issued.

10. SEC. 3. That no person not so appointed, as provided in section one of this act, shall have, permit or continue in or about his premises, place of business, or office, any sign, token or notice that he is a port warden or that he can or will act as a port warden, or give notice or advertise that he is such or will act as such.

No person not appointed to advertise himself as port warden.

11. SEC. 4. That any person violating any provision of this act shall be deemed guilty of a misdemeanor, and on conviction shall be punished by imprisonment for not less than three months or more than one year.

Penalty for violation.

12. SEC. 5. That any person violating any provision of this act shall also be liable to pay a penalty of one hundred dollars for each offense, to be sued for and recovered by the attorney-general in the name of the state of New Jersey.

Additional penalty.

Poultry Associations.

- 1. Incorporation of a state poultry association. 2. Articles of incorporation to be filed. Powers. 3. Object of association. 4. Constitution, by-laws, &c.

An act to incorporate a state poultry association of New Jersey.

Approved March 23, 1892. P. L. 1892, p. 174.

1. That it shall be lawful for ten or more inhabitants of this state above the age of twenty-one years to form a state association for the propagation and protection of poultry and game, and for that purpose they shall make and sign articles of association, which shall set forth the names of the persons forming said association, with their places of residence.

Incorporation of a state poultry association.

2. That the name adopted by such association as its corporate name, with articles of association, shall be filed in the office of the secretary of state, who shall indorse thereon the day they are filed and record the same in a book to be kept by him for that purpose, and upon filing said articles of association in the secretary of the state's office said persons who shall have signed said articles of association, all being citizens of this state above the age of twenty-one years, shall thereupon become members of said association and shall be a corporation by the corporate name mentioned in said articles of association for the purpose aforesaid, and such corporation shall have the power to make and use a common seal, to sue and be sued and generally to have the privilege and immunities incident to bodies politic, and be subject to the liabilities and restrictions imposed thereon.

Articles of incorporation to be filed.

Powers.

3. That the object of said association shall be the better propagation, improvement in breeding and protection of poultry and game, and to aid in carrying out the laws of this state relative thereto.

Object of association.

4. That in order to carry out the objects aforesaid, it shall be lawful for such association to have the power to make and adopt a constitution and by-laws, with regulations for the admission and fees of members, for the safe keeping of its property and funds, and from time to time to alter and repeal such constitution, by-laws and regulations by a majority of its members present at any regular meeting, upon notice being given at any regular preceding meeting.

Constitution, by-laws, &c.