

## Baskets, Packages, &amp;c.

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| <p>1. Unlawful for venders to allow baskets or packages to go out of possession without receiving value for same. Proviso.</p> <p>2. Payment of money collected on baskets not returned.</p> <p>3. Penalty for violation of act.</p> | <p>4. Standard size of peach baskets and how to be marked.</p> <p>5. Penalty for manufacturing or selling peach baskets not stamped or marked.</p> <p>6. Repealer.</p> |
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**An act to protect farmers, gardeners and fruit-growers against the loss of baskets and other packages.**

P. L. 1887, p. 104.

Passed April 1, 1887.

Unlawful for venders to allow baskets or packages to go out of possession without receiving value for same.

1. That it shall not be lawful for any person or persons engaged in selling the products of a farm or garden, either on commission or otherwise, to allow the basket or other package containing any of the said products to go out of his or her possession without first demanding and receiving a sum of money equal to the full value of the said basket or other package; said sum of money to be refunded to the purchaser of the aforesaid products upon the return of the basket or other package in as good condition as when he or she received it; *provided*, the owner or owners shall have his, her or their name or names, mark or marks, distinctly branded, stamped or painted upon the aforesaid basket or other package.

Proviso.

Payment of money collected on baskets not returned.  
Penalty for violation of act.

2. That the money collected on baskets or other packages not returned shall be paid to the farmer or owner at the end of each month.

3. That any person or persons who shall violate the provisions of either of the foregoing sections, or shall, without the written permission of the owner or owners thereof, sell, dispose of, buy or traffic in, mar or erase the brands or marks on, willfully break, destroy or otherwise injure, fill or use for any other purpose than the sale of the original contents of any of the aforesaid baskets or other packages, shall be liable to a penalty of twenty dollars, with costs, for each and every offense; said penalty may be sued for and recovered, with costs, by any person in any court of competent jurisdiction.

**An act for the protection of peach-growers in the state of New Jersey, and to prevent deception in the size of peach baskets.**

P. L. 1892, p. 178.

Approved March 23, 1892.

Standard size of peach baskets and how to be marked.

4. SEC. 1. That the standard size of peach baskets in the state of New Jersey shall be sixteen quarts Winchester half-bushel measure, that the height of the basket shall be twelve and one-quarter inches, and that the width across the top shall be thirteen and one-half inches, and that the inside measurement shall contain one thousand and seventy-five and ten one-hundredths cubic inches, and that such basket shall be marked "standard, N. J.," upon the staves just below the rim in Roman letters, which shall be burned on or printed thereon with permanent red paint in a straight line, and each of them shall not be less than one inch in length, and not less than one-half inch in width, and that every person who shall manufacture for sale, or who shall offer or expose for sale any basket to be used for shipping or selling peaches not standard, shall distinctly and durably stamp, brand or mark upon such basket upon the stave just below the rim the number of quarts such basket contains.

Penalty for manufacturing or selling peach baskets not stamped or marked.

5. SEC. 2. That every person who shall manufacture, sell, or offer or expose for sale, or have in his or her possession with intent to sell, or to use any peach basket or baskets not stamped, branded or marked as required by the first section of this act to be stamped, branded or marked, shall for every such offense, forfeit and pay a fine of not less than twenty-five dollars and not more than fifty dollars, to be recovered with costs, in any of the courts of this state having cognizance thereof, in any action to

be prosecuted by any prosecuting attorney in the name of the state, and the one-half of such recovery shall be paid to the informer, and the residue shall be applied to the support of the poor in the county where such recovery is had.

6. SEC. 3. That all acts and parts of acts inconsistent with this act be and the same are hereby repealed, and this act shall take effect the first day of September, one thousand eight hundred and ninety-two. Repealer.

## Bastards.

### I. PROCEEDINGS TO APPREHEND PUTATIVE FATHER OF BASTARD.

1. Application to justice.
2. Examination of mother of bastard. Warrant.
3. Proceedings against father if out of county. Indorsement of warrant.
4. Bond to be taken by justice indorsing warrant.
5. Thereupon discharge granted.
6. If no bond given, arrest proceeded with.

### II. EXAMINATION BEFORE JUSTICES.

7. Justice to associate another with himself. Proceedings of the two justices.
8. Person charged may demand a jury.
9. Trial before jury.
10. Justice may grant adjournments. May take bond for appearance.
11. The father at trial. If in his favor accused to be discharged. If adverse, order of filiation to be made.
12. Reputed father to pay costs and give bond.
13. When father to be discharged, and when committed.
14. Penalty of bond.
15. Proceedings in case bond given out of county.
16. Examination in such case.

### III. APPEAL TO SESSIONS.

17. Appeal to sessions. Notice to be given to justice.
18. Justice to send up papers.
19. Proceedings in sessions.
20. When the accused to be discharged.
21. If decision is against person charged, to give bond or on failure to be sent to jail.
22. Bond to appear at sessions, when forfeited.

### IV. BONDS, AND SUITS ON, &c.

23. Such bonds, how prosecuted.
24. Amended by section 39.
25. Remedy to township where bastard legally settled.

### V. GENERAL PROVISIONS.

26. Court may discharge father when indigent.
27. Mother of bastard may be compelled to disclose name of father.
28. Proceedings against property of absconding father or mother.
29. Bastard born in poor house.
30. Fees.
31. Definition of term "township."
32. Pay of jurymen.
33. Repealer.
34. Breach of bond, how prosecuted.
35. Justice may issue warrant on Sunday.
36. Constable may make arrest on Sunday.
37. Person arrested may be taken before justice on Sunday.
38. Proceedings had on Sunday on return of warrant shall be valid.
39. Bond to perform order of filiation, by whom and how prosecuted.
40. Provisions applicable to bonds heretofore taken.
41. One justice of the peace empowered to do every act under this act.
42. Repealer.
43. In cities, all proceedings to be had before police courts.
44. Repealer.

## I. Proceedings to apprehend putative father of bastard.

### An act for the maintenance of bastard children.

Revision—Approved March 27, 1874.

1. That if any woman (a) shall be delivered of a bastard child, which shall be chargeable or likely to become chargeable to any township; or shall declare herself to be pregnant of a child likely to be born a bastard, and to become chargeable to any township, (b) any overseer of the poor of the township where such woman may be, or of the township wherein the legal settlement of such woman may be, may apply (c) to a justice of the peace of the same county wherein such woman may be, to make inquiry into the facts and circumstances of the case.

2. That such justice shall, by the examination of such woman on oath, and upon such other testimony as may be offered, ascertain the father of such bastard, or of such child likely to be born a bastard; and shall there-

R. S. 902.

P. L. 1851, p. 137.  
" 1858, p. 467.

Application to justice.

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RWS98-969  
Rev 98-959  
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Examination of mother of bastard.

(a) A warrant may issue in the case of a married woman, but non-access of the husband must be shown. *State v. Overseer of the Poor*, 4 Zab. 533.

(b) The settlement of a bastard child is at the place of legal settlement of the mother at the time of the birth. *Nottingham v. Amwell*, 1 Zab. 27. Or where the child is born if the mother have no legal settlement. *Quick v. Overseers of Amwell*, Pen. \*1016. *McCoy v. Overseers of Newton*, 8 Vr. 133. Proceedings may be instituted both in the township where the mother last

resided and also in the township where the child was born. *Id.* If the mother, before the birth of the child, remove to another state, and continue to reside there, the child is not chargeable on any township in this state. *Richardson v. Overseer of Burlington*, 4 Vr. 190.

(c) The complaint need not be in writing. *State v. Overseer of the Poor*, 4 Zab. 533. No order can be made against the putative father before such application. *Anonymous*, Pen. \*870.