

**STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATION; REPORT OF
THE COMMISSION TO ARRANGE AND
CONSOLIDATE THE STATUTES, MADE TO
THE GENERAL ASSEMBLY AT ITS
JANUARY SESSION, A. D. 1909**

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State of Rhode Island and Providence Plantation; Report of the Commission to Arrange and Consolidate the Statutes, made to the General Assembly at its January session, A. D. 1909 by Various

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VARIOUS

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Mar. R.

Rhode Island Statute consolidation commission
State of Rhode Island and Providence Plantations.

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REPORT OF COMMISSION

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TO

ARRANGE AND CONSOLIDATE
THE STATUTES,

MADE TO THE

GENERAL ASSEMBLY

AT ITS

JANUARY SESSION, A. D. 1909.

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PROVIDENCE:

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Rhode Island: Statutes.

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REPORT.

The undersigned were appointed a commission, under the authority of the Public Laws, Chapter 1363, passed at the January session, 1906, "to arrange and consolidate all the statutes of the State, general and permanent in their nature."

We were ready to report at the January session of the General Assembly of 1908, but, it being understood that many acts of great importance were to be introduced at that session, it was deemed advisable to postpone the report until the present session of the General Assembly. The wisdom of this course is manifest from the fact that at the last session of the General Assembly many new laws were enacted and important changes made in existing laws. The Sales Act, the Warehousemen's Act, Insolvency Act, the Banking Law, the Pure Food Law, and the Automobile Act were passed at the last session of the General Assembly and are now incorporated in the present revision.

More sweeping changes were made in the General Laws in the period between 1896 and 1909 than in any similar period in the history of the State. Since the General Laws of 1896 were enacted, amendments to the constitution required sweeping changes in the laws affecting elections and the organization of and procedure in the courts. In addition to these changes, many new statutes have been enacted. In the outline of the revision, the commission have followed, as far as possible, the general outline of the revision of 1896, and have adopted, wherever practicable, the same titles and the same arrangement.

At the outset we found that our duty to "arrange and consolidate" could not be fulfilled by a mere substitution of public laws in the place of sections of the General Laws which had been amended, and

while we have made no fundamental changes, we have, in many instances, been obliged to rewrite sections so as to make them harmonize with the other laws and more clearly express the intention of the legislature. In many cases we have found amendments upon amendments of the same section, leaving the law in confusion; sections repealed which evidently could not have been intended to be repealed; and, in some cases, sections amended which had previously been repealed. Again we have found that the effect of some Public Laws was to repeal, by implication, large portions of chapters in the General Laws not mentioned in the Public Laws and evidently not considered.

We have endeavored to keep strictly within the limitations of our powers, so far as this could be done, but have made such changes as we considered necessary in order to amend or repeal sections which were so clearly inconsistent with the later laws as to leave no question of their repeal by implication.

While our report of changes does not show in detail what has been done with sections and chapters which have been repeatedly amended, we have considered the effect in each case and have incorporated in this report the final change made in each particular case.

We are greatly indebted to our secretary, Edward C. Stiness, Esq., for the very efficient service which he has rendered.

The index, which is a very important part of any revision, is being prepared by Bertram S. Blaisdell, Esq., Clerk of the Supreme Court.

WALTER R. STINESS,
SAMUEL W. K. ALLEN,
JOHN S. MURDOCK.

MEMORANDA.

Title I.

CHAPTER 1.

Sec. 3. From Section 3 the following has been stricken: "Lot of land on the westerly side of South Main street in the city of Providence, purchased as a site for a custom house," the United States no longer owning this site.

And we have added to said chapter the matter following the clause, in Section 3, beginning "Coaster's Harbor Island," on information obtained from the War Department.

CHAPTER 2.

Sec. 1. We have inserted Public Laws, 1099, April 16, 1903.

Sec. 4. We have inserted Public Laws, 330, May 13, 1896, and made the changes made necessary by the Court and Practice Act.

Sec. 6. We have added as Section 6, Public Laws, 1050, December 10th, 1902.

CHAPTER 3.

Sec. 3. We have stricken out the words "the District of," for the reason that the District of Narragansett has been incorporated into a town.

CHAPTER 5.

Sec. 3. We have inserted as Section 3, Public Laws, 460, May 19th, 1897.

Title II.

CHAPTER 6.

- Sec. 1.** We have inserted as Section 1, Public Laws, 808, striking out the words in said section after the word "Provided," through the words "and provided further," since that portion of said section was for a temporary purpose.
- Sec. 3.** We have added as Section 3 of this chapter, Public Laws, 582, as amended by Public Laws, 1459.

CHAPTER 7.

- Sec. 1.** We have added to said section, at the end thereof, "and in the city of Pawtucket as provided in Chapter 8, Section 36," to conform with the requirements of the act creating the board of canvassers and registration for said city of Pawtucket.
- Sec. 2.** We have inserted as Section 2, Public Laws, 808, striking out the words at the end thereof commencing "and provided further, &c," that portion of the section having become in-operative.
- Sec. 8.** We have stricken out in Section 8, all references to school districts, on account of the abolition of school districts in this State.
- Sec. 11.** We have inserted as Section 11, Public Laws, 808, Section 3.
- Sec. 16.** We have inserted Public Laws, 808, Section 4.
- Sec. 18.** This section has been added to conform to the provisions of Public Laws, 1608.

CHAPTER 8.

- Sec. 1.** We have made this section apply to both Providence and Pawtucket.
- Sec. 2.** We have made this section apply to both Providence and Pawtucket.
- Sec. 3.** We have inserted Public Laws, 808, Section 5.

- Sec. 4. We have inserted Public Laws, 808, Section 6.
- Sec. 5. We have inserted Public Laws, 808, Section 7.
- Sec. 23. We have reversed the order of these Sections.
- Sec. 24.
Sec. 29. We have added Public Laws, 583, as said sections, making
Sec. 30. the necessary changes required by the Court and Practice Act.
Sec. 31.
- Secs. 32 and 33. We have added these sections from Public Laws, 363, re-drafting the same.
- Sec. 34. We have inserted this section from Public Laws, 798, re-drafting it.
- Secs. 35 to 46. We inserted these sections from Public Laws, 1608.

CHAPTER 9.

- Secs. 4 and 11. We have changed the day to the Tuesday next after the first Monday in November, in accordance with Public Laws, 808.

CHAPTER 10.

- Chapter 10 was repealed by Public Laws, 829, here inserted.
In said 829, we have made the following changes:
- Sec. 1. In Section 1, we have made the law apply to both the cities of Providence and Pawtucket.
- Sec. 3. In Section 3, we have stricken out the words "city or town clerk" and inserted the words "officer designated by law."
- Sec. 7. In Section 7 we have inserted Public Laws, 1229, section 20.
- Secs. 13 and 14. Sections 13 and 14, have been substituted by Public Laws, 1229, Sections 21 and 22.
- Sec. 14. Section 14 we have also made apply to the cities of Providence and Pawtucket.
- Sec. 15. Section 15 we have made apply to the cities of Providence and Pawtucket.
- Sec. 16. Section 16 of said chapter was repealed by Public Laws, 1229, Section 23.
- Sec. 17. Section 17 we have made Section 16.
- Sec. 18. Section 18 we have made Section 17.