

2012 -- S 2412

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LC01471  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO PROPERTY - POSSESSION AND PRESCRIPTION

Introduced By: Senators Jabour, McCaffrey, and Walaska

Date Introduced: February 15, 2012

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 34-7-1 of the General Laws in Chapter 34-7 entitled "Custody and  
2 Probate of Wills" is hereby repealed.

3           ~~**34-7-1. Conclusive title by peaceful possession under claim of title.** -- Where any~~  
4 ~~person or persons, or others from whom he, she, or they derive their title, either by themselves,~~  
5 ~~tenants or lessees, shall have been for the space of ten (10) years in the uninterrupted, quiet,~~  
6 ~~peaceful and actual seisin and possession of any lands, tenements or hereditaments for and during~~  
7 ~~that time, claiming the same as his, her or their proper, sole and rightful estate in fee simple, the~~  
8 ~~actual seisin and possession shall be allowed to give and make a good and rightful title to the~~  
9 ~~person or persons, their heirs and assigns forever; and any plaintiff suing for the recovery of any~~  
10 ~~such lands may rely upon the possession as conclusive title thereto, and this chapter being~~  
11 ~~pleaded in bar to any action that shall be brought for the lands, tenements or hereditaments, and~~  
12 ~~the actual seisin and possession being duly proved, shall be allowed to be good, valid and~~  
13 ~~effectual in law for barring the action.~~

14           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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- 1           This act would repeal section 34-7-1, which allows the passage of title to real property
- 2           which has been adversely seized or possessed for a period of ten (10) years.
- 3           This act would take effect upon passage.

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