

In force, Mar.  
2, 1839.

AN ACT regulating evidence in certain cases.

Names of  
partners un-  
necessary.

Proviso.

Actions  
against two  
or more de-  
fendants.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in trials of actions upon contracts, express or implied, when the action is brought by partners, or by joint payees or obligees, it shall not be necessary for the plaintiff, in order to maintain any such action, to prove the names of the co-partners or the christian names of such joint payees or obligees, but the names of such co-partners, joint payees or obligees, shall be presumed to be truly set forth in the declaration or petition: *Provided,* That nothing herein contained shall prevent the defendant in any such action from pleading, in abatement as heretofore, or of proving, on the trial, either that more persons ought to have been plaintiffs, or that more persons have been made plaintiffs, than have a legal right to sue.

SEC. 2. On actions against two or more defendants upon contracts in writing, alleged to have been made or executed by such defendants as partners or otherwise, proof of the joint liability of the defendants shall not be required to entitle the plaintiff to judgment, unless such proof shall be rendered necessary by pleading in abatement, or the filing of pleas denying the execution of such writing, verified by affidavit, as required by the "Act concerning practice in courts of law," approved on the twenty-ninth day of January, one thousand eight hundred and twenty-seven.

APPROVED, March 2, 1839.

In force, Mar.  
2, 1839.

AN ACT to quiet possessions and confirm titles to land.

Persons hold-  
ing lands by  
title, and who  
pay all taxes.

Title to va-  
cant land.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter every person in the actual possession of land or tenements, under claim and color of title made in good faith, and who shall, for seven successive years after the passage of this act, continue in such possession, and shall also, during said time, pay all taxes legally assessed on such land or tenements, shall be held and adjudged to be the legal owner of said land or tenements, to the extent and according to the purport of his or her paper title. All persons holding under such possession, by purchase, devise, or descent, before said seven years shall have expired, and who shall continue such possession, and continue to pay the taxes as aforesaid, so as to complete the possession and payment of taxes for the term aforesaid, shall be entitled to the benefit of this section.

SEC. 2. Hereafter, whenever a person having color of title, made in good faith, to vacant and unoccupied land, shall, after the passage of this act, pay all taxes legally assessed thereon for seven successive years, he or she shall be deemed and adjudged to be the legal owner of said vacant

and unoccupied land, to the extent and according to the purport of his or her paper title. All persons holding under such tax-payer, by purchase, devise, or descent, before said seven years shall have expired, and who shall continue to pay the taxes as aforesaid, so as to complete the payment of taxes for the term aforesaid, shall be entitled to the benefit of this section: *Provided, however,* If any person, having a better paper title to said vacant and unoccupied land, shall, during the said term of seven years, pay the taxes assessed on said land for any one or more years of the said term of seven years, then and in that case such tax-payer, his heirs and assigns, shall not be entitled to the benefit of this section. Proviso.  
When tax is paid 7 years.

SEC. 3. The above sections of this act shall not extend to land or tenements when there shall be an adverse title to such land or tenements, and the holders of such adverse title is under the age of twenty-one years, insane, imprisoned, feme covert, out of the limits of the United States, and in the employment of the United States or of this State: *Provided* such person shall commence an action, to recover such land or tenements so possessed as aforesaid, within three years after the several disabilities herein enumerated shall cease to exist, and shall prosecute such action to judgment, or, in case of vacant and unoccupied land, shall, within the time last aforesaid, pay to the person or persons who have paid the same all the taxes, with interest thereon, at the rate of twelve per cent. per annum, that have been paid on said vacant and unimproved land. Proviso.

SEC. 4. This act shall not be construed to extend to any land or tenements owned by the United States or this State, nor to school or seminary land, nor to land held for any public purpose. This act to take effect from and after its passage.

APPROVED, March 2, 1839.

AN ACT to amend "An act in relation to religious societies."

In force, Mar. 2, 1839.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter it may be lawful for any religious society, in this State, to purchase, or receive by a donation, and hold any real estate, not exceeding forty acres, for the purpose of camp-meeting ground and the lots necessary for the same. Societies may hold land.

SEC. 2. The title to said real estate shall be held by trustees appointed by said society; and the same may become incorporated according to the provisions of "An act concerning religious societies." in force, March 1, 1835. This act to take effect from and after its passage. In name of trustees.

APPROVED, March 2, 1839.