

conveyance was made, or their successors, to execute conveyances for the same, so as to divest the legal title, and release all claim of the county to the premises conveyed; but no commissioners, or county shall, by virtue of such conveyance, become responsible for the title of the premises conveyed, except as against their own acts.

*Approved, February 18, 1841.*

An ACT to amend and explain the Election Law, approved, January tenth, one thousand eight hundred and twenty-nine.

In force, Feb. 20, 1841.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter, at any

Qualification  
of voter

election held in this State, all white male inhabitants above the age of twenty-one years, and having resided in the State six months, next preceding such election, shall enjoy the right of an elector, whether such elector has been naturalized or not: *Provided*, That when any such person shall present himself to give his vote, and either of the judges shall suspect that such person does not possess the aforesaid qualification of age and residence, or either, or if his vote shall be challenged by any elector, who has previously voted at such election, the judges of the election shall tender to such person the oath or affirmation in the following form: "I, A. B. do solemnly swear, or affirm, (as the case may be) that I am a resident of the county of ——— in the State of Illinois, that I have resided in this State for the period of six months immediately preceding this election, that I have, to the best of my knowledge and belief, attained to the age of twenty-one years, and that I have not voted at this election."

Proviso

Form of oath

SEC. 2. Any person so offering his vote at such election, and shall take such oath or affirmation, or shall offer to take such oath or affirmation, as prescribed in the preceding section, his vote shall be received, unless it shall be proved by evidence satisfactory to a majority of the judges that such oath or affirmation is false; and if such person shall refuse to take such oath or affirmation, his vote shall be rejected; and if any person shall take the oath or affirmation as is before named, knowing such oath or affirmation to be false, he shall be deemed guilty of wilful and corrupt perjury, and punished accordngly.

Vote to be taken, unless proved false

When person deemed guilty of perjury

SEC. 3. If any judge or judges of election shall refuse to receive the vote of any such person so residing in this State, six months before election, and being at the time of offering his vote, twenty-one years of age, as stated in the first section of this act, and he shall comply or offer to comply with the first section of this act, then every judge, or the judges so refusing or neglecting to receive the vote of the person aforesaid, and to record it as a legal vote, shall be liable to be indicted, and on conviction shall be fined five hundred dol-



Penalty for neglect of duty of judges of election. lars, and imprisoned not exceeding thirty days, in the county jail, and such judge or judges may also be sued in an action of case by the person aforesaid, and upon proof of such refusal or neglect in said judge or judges to receive and record the vote of such person so offering to vote, damages may be recovered of such judge or judges not exceeding five hundred dollars.

Penalty for neglect of duty of county clerk. SEC. 4. If the clerk of the county commissioners' court shall neglect or refuse to perform the duties as pointed out in the seventeenth section of an act entitled "An act regulating elections," approved January tenth, one thousand eight hundred and twenty-nine, he shall be liable to be indicted, and on conviction shall be fined in a sum not exceeding five hundred dollars, and imprisoned not exceeding thirty days, and may be sued in an action of trespass on the case for damages not exceeding five hundred dollars by the person injured by reason of the neglect or refusal of such clerk.

Persons mutilating or secreting poll books to be indicted. SEC. 5. If any person shall mutilate or erase any name, or figure, or word, in a poll book, taken or kept at any election, or if any person shall take away such poll book from the place where it has been deposited for safe keeping, with an intention of destroying the same, or to prevent the election of any person, or if any person shall destroy any poll book so taken and kept at any election, he or she shall be liable to be indicted, and on conviction, shall be fined five hundred dollars, and imprisoned not exceeding sixty days in the county jail: *Provided*, That nothing contained in this act shall conflict with the one hundred and sixty-fourth section of the criminal code.

*Approved, February 20, 1841.*

An ACT regulating evidence in certain cases.

In force, Feb. 1, 1842.

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, where 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 copartnership of the individuals named in such action, or to prove the christain or sir names of such partners, or joint payees or obligees, but the names of such copartners, joint payees or obligees shall be presumed to be truly set forth in the declaration, petition or bill: *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, or that the christain or sir name is other and different from the one stated in the declaration, petition or bill, in which event the defendants' rights shall be as at common law.

In trials on contracts, not necessary to prove partnership

Proviso.