

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved March 8, 1871.

## CHAPTER 52.

[Published March 10, 1871.]

AN ACT in relation to actions for the recovery of real property.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. In all actions for the recovery of specific real property, or of the possession thereof, it shall be lawful to join as defendants any person or persons claiming title thereto and the actual occupants thereof, or of some part or parcel thereof, holding as tenant or tenants under such person or persons claiming title, and such joinder shall in no case be held to be a misjoinder of defendants in such an action. If upon any trial hereafter had of such an action brought against several defendants, it shall appear that any of the defendants occupy distinct parcels of the premises in severalty or jointly, while other defendants occupy other parcels in severalty or jointly, and it shall appear by affidavit of any such defendant, that he has a separate and distinct defense in such action which his co-defendants do not have, then the court may award a separate trial to any such defendant as the justice of the case may require, and several judgments may be rendered on the verdicts found, according to the rights and interests of the parties; otherwise the trial may proceed against the several defendants, and a joint or separate verdict may be found according to the rights and interests of the different parties, and separate judgments may be rendered on such verdicts, where it may be necessary.

Who may join as defendants.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 8, 1871.