

to alter the time for the next meeting of Congress," passed on the third day of March last, be, and the same is hereby repealed.

APPROVED, July 1, 1797.

STATUTE I.

July 5, 1797.

CHAP. IX.—*An Act for reviving and continuing suits and process in the Circuit Court for the district of North Carolina.*

[Obsolete.]

WHEREAS, a sufficient quorum of judges did not attend to hold the circuit court, for the district of North Carolina, for the purpose of doing business in June term, one thousand seven hundred and ninety-seven; in consequence whereof, certain provisions are now become necessary and expedient, to prevent a failure of justice in the said court:

How district judge of Carolina, shall cause jurymen to be summoned for Nov. term.

SECTION 1. *Be it therefore enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall and may be lawful, for the district judge of the state of North Carolina, to direct the clerk of the said court, to issue such process for the purpose of causing persons to be summoned to serve as jurymen at the said court, at the term to commence the thirtieth day of November next, as has been before issued by the clerk of the said court for the like purpose, returnable to June term, one thousand seven hundred and ninety-seven; that the persons ordered by the said process to be summoned for the said purpose, shall be ordered to be summoned in the same proportion, and from the same counties, as those persons who were ordered to be summoned for the like purpose, by process returnable at June term, one thousand seven hundred and ninety-seven: *Provided*, that if it shall appear expedient to the said district judge, that a different time of notice shall be prescribed, than that hitherto prescribed, he may cause such other time of notice to be directed to be given, as to him shall appear most conducive to justice, and convenient to the persons to be summoned. And the marshal is hereby directed to execute the said process, so to be issued; and the persons who shall be legally summoned to attend as jurymen, in consequence thereof, are hereby required to attend the said court, under the like penalties for disobedience, as if the said process had been ordered to be issued by the said court, in the ordinary method of proceeding: And the marshal and the persons who shall attend as jurymen, in virtue of the said process, so to be issued, shall be entitled to the like allowances for their services, respectively.

Proviso.

Marshal to execute process.

How suits and proceedings shall be proceeded on.

SEC. 2. *And be it further enacted,* That all suits and proceedings, of what nature or kind soever, which have been commenced in the said court, and not finished, shall be proceeded on at the ensuing term, in the same manner, and to the same effect, as if the said circuit court had been regularly held for the purpose of business in June term, one thousand seven hundred and ninety-seven, and continuances had been regularly entered, of all suits and proceedings in the said term, in which they were depending, in the usual manner of proceeding, as the case might be.

All writs, &c. deemed of same validity as if June term had been regularly held.

SEC. 3. *And be it further enacted,* That all writs and other process sued out of the clerk's office of the said circuit court, according to the accustomed method, bearing test in November term, one thousand seven hundred and ninety-six, or June term, one thousand seven hundred and ninety-seven, shall be held and deemed of the same validity and effect as if the term of June, one thousand seven hundred and ninety-seven, had been regularly held by a judge or judges competent to do business, and continuances in respect to writs or other process returnable to the last mentioned term, had been regularly entered.

APPROVED, July 5, 1797