

shall have elapsed during the next ensuing September Term or Sittings of the said Supreme Court at Sydney aforesaid, as would have authorized the taking of such step or proceeding—provided the same time had elapsed after the convening of the said intended May Term or Sittings, in case the same had been held according to Law.

II. *And be it enacted*, That all proceedings of whatsoever kind or nature pending, or to be had in the said Supreme Court at Sydney aforesaid, at the time appointed for the holding of the said last May Term or Sitting thereof, shall be and be deemed continued to all intents and purposes whatsoever, until the next September Term or Sittings of such Supreme Court at Sydney aforesaid, and no abatement or discontinuance thereof shall be, or be construed to have been worked, by reason of the said May Term not having been held as aforesaid.

All proceedings continued till September Term.

III. *And be it enacted*, That all Officers, Jurors, Parties, and other persons summoned, notified or bound, or liable to appear, or who ought to have appeared at the said last intended May Term or Sittings of the said Supreme Court at Sydney aforesaid, shall be held liable and bound to appear at the said next September Term or sittings thereof, and in default thereof shall be subject and liable to the same and the like liabilities, orders, rules, provisions, duties and penalties, as if they had not duly appeared in the said Supreme Court at Sydney, at its said last mentioned May Term or Sittings as aforesaid, in case the same had been held, and all Sureties for the appearance of such persons shall respectively continue and be liable for their appearance respectively at the said time hereby appointed therefor, in the same manner, and to the same extent as they were liable for their appearance at the said May Term or Sittings. *Provided always*, that all such Jurors shall receive the like summons for such attendance, as in ordinary cases; and that no trial of any cause which shall now, or within fourteen days previous to the said next September Term at Sydney aforesaid, be at issue, shall be proceeded in at the said Term, unless the party defendant shall have been duly notified thereof for the time, in such cases respectively by Law required.

Officers, Jurors, Parties, &c. bound to appear at the last May Term hereby directed to appear at the next September Term.

Proviso.

IV. *And be it enacted*, That no advantage in any way shall be taken of any defect or irregularity in the teste of any writ or process whatsoever, which has, since the first day on which the said last intended May Term or Sittings of the said Supreme Court at Sydney aforesaid was appointed to be held, issued out of the said Supreme Court at Sydney, or which shall previous to the first day of the said next September Term issue out of the same, or for the want of any teste in any such writ or process; but all such writs and process, if formal and regular in other respects, shall be, and be deemed, and held duly and regularly issued out of such Supreme Court, notwithstanding any such defect or irregularity in such teste or the want thereof as aforesaid.

Want of or irregularity in teste in Writs waived.

And in order to prevent any further or other difficulty that might arise by reason of the said Term not having been held as aforesaid :

V. *Be it enacted*, That all acts, matters and things, whatsoever necessary, or by Law directed to be done, or which should and ought to have been done at the said intended May Term or Sittings of the said Supreme Court at Sydney aforesaid, in case the same had been duly held, shall and may be lawfully done and performed at the next September Term or Sittings of the said Court at Sydney aforesaid, in the same manner, and by the same ways and means, to and for all intents and purposes whatsoever, as the same could or might have been done at the said May Term or Sittings, had the same been held, and to this end, and for all necessary purposes whatsoever, the said next September Term or Sittings of the said Supreme Court at Sydney aforesaid, shall be taken and held to be the first Sittings of the said Supreme Court in the County of Cape Breton aforesaid, for this present year.

Acts required to be done at the May Term may be lawfully done at the next September Term.