

tor, executors, administrator or administrators, against any defendant or defendants, his or their heir or heirs, executor, executors, administrator, or administrators, on or before the first day of April seventeen hundred and eighty-six. And if any plaintiff or defendant, in any action or suit, noted on the docket for trial, at the said court held in September last, and not continued by the said judges until the next meeting of the court appointed by law, shall have died since the said twenty-third of September last, or shall die before the next meeting of the said court appointed by law, the said action or suit shall not be abated, but the same may be tried at the next court to be held agreeably to law, or may be continued, at the discretion of the court, and the same judgment shall and may be given upon the trial of such suit or action, as if such suit or action had been tried at the court in September term last, notwithstanding the death of either of the parties, and the judgment when given, shall have all the legal consequences, to every intent and purpose whatsoever, as if the same had been given at September term last, except that no bonâ fide purchaser of any lands or tenements, or real estate whatsoever, before judgment may be entered, shall be affected by any judgment for debt or damages against the person from whom the purchase hath been or shall be made, his, her, or their heirs, executors, or administrators.

IV. And be it enacted, That the said court may, in their discretion continue all actions discontinued as aforesaid one term beyond the time limited by law for their continuance.

Court may  
continue ac-  
tions, &c.

V. Provided always, That nothing in this act shall extend to affect or make liable the bail or security for any person's appearance at the said court held in September last, in any suit civil or criminal, unless in the case of a person under prosecution for any crime or misdemeanor, a default was entered on the recognizance before the said discontinuance, or the sheriff was amerced before such discontinuance for default of the defendant's appearance in any civil suit, but any recognizance entered into by the principal shall stand as an obligation for him to appear at the next meeting of the court, in the same manner, as if the condition thereof were for his appearance at the next court, and if he shall not appear on calling the recognizance at the said court, a default and judgment may be entered, and execution may be issued accordingly, or without calling the said recognizance, it shall be in the discretion of the court to respite the same until the succeeding term.

Proviso.

VI. And, for removing doubts which may arise respecting the consequences of the said court not having been held on the twenty-fourth day of September last, under the circumstances aforesaid, Be it enacted, That all judgments, rules and orders, made and rendered before the said discontinuance, shall be good and valid, according to the intent and purpose thereof; and that writs of execution may be taken out as usual at the end of a term, returnable at the next meeting of the said court; and that all writs of execution, already taken out, shall be good and effectual, as if the said discontinuance had never happened, under the following limitation and restriction, to wit, that any judgment so rendered may be set aside or altered by the said court at their next meeting appointed by law, for any cause that would have been sufficient to set aside or alter the same upon application or motion at September term last; and if any writ of execution returnable to the said court the second Tuesday of September last, was returned executed agreeably to the command thereof, and the said writ and return was not called and considered before the said discontinuance, it shall be lawful for the plaintiff or plaintiffs to renew the same returnable at the next meeting of the court, and the new writ shall be good and effectual; and if any writ hath already been renewed, returnable at

Judgments,  
&c. good and  
valid, &c.