

# LAWS

OF THE

STATE OF NORTH CAROLINA,

PASSED BY THE GENERAL ASSEMBLY,

AT THE

SESSION OF 1840-41.

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*Published agreeably to Act of Assembly.*

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1841.

## CHAPTER XLV.

## An Act to expedite legal Process.

Duty of Clerk  
in Equity to  
advertise Suits  
in certain ca-  
ses.

*Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That where any bill in Equity, or petition, shall be filed in any of the Courts of this State, in which said bill or petition, it is alleged that some of the defendants are non-residents, it shall be the duty of the Clerk upon affidavit filed, if the Plaintiff require it, to advertise in some Gazette of the State, for the space of six weeks, in the same manner, and under the same rules and regulations, as are now required by the law prescribing such advertisements when ordered by the Court to be made upon the return of process. And such advertisement so made by the Clerk, shall be as effectual as if ordered by the Court, at the return of such process, and the cause shall proceed, as causes now proceed, when advertisement has been made as to non-residents: *Provided nevertheless,* that the provisions of this act shall not interfere with the course of proceedings in applications for divorce.

[Ratified, the 26th day of December, 1840.]