

Case No. 1,754.

BOYER v. ROBERTS.

{1 Cranch, C. C. 73.}<sup>3</sup>

Circuit Court, District of Columbia.

March Term, 1802.

TRIAL—AT FIRST TERM—BY CONSENT.

No civil cause is to be tried, except by consent, unless it has stood one term at issue.

The plea was filed at the last term, but the issue was not made up until the present term.

Mr. Woodward, for the plaintiff, contended that he was entitled to a trial at this term, and cited the act of Maryland of 1763.

Mr. Peacock, for the defendant, moved' for a continuance on the rule of the court, that no cause should be forced to trial unless it had stood one term at issue; and on that ground the cause was continued.

<sup>3</sup> [Reported by Hon. William Cranch, Chief Judge.]