

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 81
SENATE BILL 35

1 AN ACT TO AMEND G.S. 1-315, RELATING TO PROPERTY LIABLE TO SALE UNDER
2 EXECUTION SO AS TO ENLARGE THE KINDS OF PROPERTY SUBJECT TO SUCH
3 SALE.
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5 The General Assembly of North Carolina do enact:
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7 **Section 1.** G.S. 1-315 is hereby amended to read as follows:

8 "(a) The following property of the judgment debtor, not exempted from sale under the
9 Constitution and laws of this State, may be levied on and sold under execution:

- 10 (1) Goods, chattels, and real property belonging to him.
11 (2) Leasehold estates of three years duration or more owned by him.
12 (3) Equitable and legal rights of redemption in personal and real property
13 pledged or mortgaged by him, or transferred to a trustee for security by him.
14 (4) Real property or goods and chattels of which any person is seized or
15 possessed in trust for him.
16 (5) Choses in action represented by instruments which are indispensable to the
17 chose in action.
18 (6) Choses in action represented by indispensable instruments, which are
19 secured by any interest in property, together with the security interest in
20 property.
21 (7) Interests as vendee under conditional sales contracts of personal property.

22 "(b) Upon the sale under execution of any property or interest for which no provision is
23 otherwise made under this Article for the furnishing of a deed or other instrument of title, the
24 officer holding the sale shall execute and deliver to the purchaser a bill of sale.

25 "(c) No execution shall be levied on growing crops until they are matured."

26 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed.

27 **Sec. 3.** This Act shall become effective on July 1, 1961.

28 In the General Assembly read three times and ratified, this the 23rd day of March,
29 1961.