

NORTH CAROLINA GENERAL ASSEMBLY  
1961 SESSION

CHAPTER 85  
HOUSE BILL 58

AN ACT TO AMEND CHAPTER 316 OF THE SESSION LAWS OF 1947 TAXING  
AND REGULATING PROFESSIONAL BONDSMEN IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Section 1. That Section 2 of Chapter 316 of the Session Laws of North Carolina of 1947 be and the same is hereby rewritten to read as follows:

"Sec. 2. In addition to the privilege license provided for in Section 1 of this Act, every person, firm, association or corporation, who shall engage in the business of signing, endorsing, executing or becoming surety on appearance bonds, or who shall pledge or deposit any cash, check, or other security of any nature in lieu of any appearance bond, in any court in Robeson County for a fee or compensation, shall, as a condition precedent to engaging in any such business or activity, deposit with the Clerk of Superior Court of Robeson County not less than Five Thousand Dollars (\$5,000.00) in cash or negotiable securities approved by the Clerk and shall, at the same time, post an agreement with the Clerk of Superior Court of Robeson County, that such cash or negotiable securities shall, at all times, be available for the purpose of the payment of any bond signed by such person, firm, association or corporation, which has been declared by the court to be forfeited. The agreement shall further provide that if the amount of any bond posted by such person, firm, association or corporation is forfeited by a court of competent jurisdiction and remains unsatisfied for ten (10) days after the date of its forfeiture, the Clerk of Superior Court of Robeson County shall be authorized, empowered, and directed to satisfy the bond so forfeited out of the deposit made with the Clerk. If the amount of such forfeited bond is not paid within ten (10) days from the date of forfeiture, the Clerk of Superior Court of Robeson County is authorized to apply the amount of the forfeiture out of the said deposit and the person, firm, association or corporation, whose deposit is thus reduced, shall immediately upon notice by the Clerk of Superior Court of Robeson County, deposit an additional sum with the Clerk of Superior Court of Robeson County in order that the deposit shall always be at least the sum of Five Thousand Dollars (\$5,000.00), either in cash or negotiable securities. No person, firm, association or corporation shall sign, endorse, execute or become surety on any additional appearance bonds, or pledge or deposit any cash, check, or other security of any nature in lieu of an appearance bond, in any court in Robeson County until such time as an additional deposit sufficient to re-establish a total deposit of Five Thousand Dollars (\$5,000.00), exclusive of any amounts so forfeited, has been made with the Clerk of Superior Court of Robeson County."

Sec. 2. That Section 6 of Chapter 316 of the Session Laws of North Carolina of 1947 be and the same is hereby rewritten to read as follows:

"Sec. 6. Every person, firm, association or corporation, who shall engage in the business of signing, endorsing, executing or becoming surety on appearance bonds, or who shall pledge or deposit any cash, checks, or other security of any nature in lieu of any appearance bond, in any court in Robeson County for a fee or compensation, and any person or persons employed by such person, firm, association or corporation in any such connection, or any other person who is delegated any power or authority in connection with such bonds by such person, firm, association or corporation, shall, before engaging in such activities make application to and file with the Board of Commissioners of Robeson County a detailed financial statement showing the assets of such person, firm, association or corporation, their agents, employees, and any other person to whom any such power or authority is delegated, and such other proof as shall be necessary to show the board of commissioners that the applicant is financially responsible and is of good moral character. The Board of Commissioners of Robeson County is authorized to require such additional proof of the financial responsibility and moral character of the applicant as shall in the discretion of the board be necessary to determine the qualifications of said applicant, its employees and agents, and any other person to whom the applicant delegates any powers or authority, and the ability of the applicant to perform the services for which the license is required. The Board of Commissioners of Robeson County shall not issue the license provided in this Act, unless said board is satisfied from an affirmative showing made by the applicant that said applicant is a person of good moral character, is financially able to engage in such activities and otherwise qualified to perform the services for which the license is sought, and said board shall be the sole judge as to whether an applicant is a person of good moral character and financial responsibility for the purpose of being licensed under this Act."

Sec. 3. Chapter 316 of the Session Laws of North Carolina of 1947 is hereby further amended by adding a new Section immediately following Section 6, the same to be numbered Section 6.1 and to read as follows:

"Sec. 6.1 Every person, firm, association or corporation, who is engaged in the business of signing, endorsing, executing or becoming surety on appearance bonds, or who shall pledge or deposit any cash, check, or other security of any nature in lieu of any appearance bonds, in any court in Robeson County for a fee shall file a detailed monthly report in writing with the Board of Commissioners of Robeson County showing the name of each individual bonded, the amount of the bond, the court in which the bond is returnable, and the fee charged for the bonding service in each instance. Copies of this report shall be delivered by such person, firm, association or corporation, to the Clerk of Superior Court of Robeson County and to the solicitor or clerk of each of the several recorder's courts in Robeson County."

Sec. 4. This Act shall apply to Robeson County only.

Sec. 5. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 6. This Act shall be in full force and effect from and after its ratification.

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