

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 989
SENATE BILL 427

1 AN ACT TO AMEND SECTION 1-109 OF THE GENERAL STATUTES RELATING TO
2 PLAINTIFF'S PROSECUTION BOND.

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4 The General Assembly of North Carolina do enact:

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6 **Section 1.** G.S. 1-109, as the same presently appears in the 1959 Cumulative
7 Supplement to Volume 1A of the General Statutes, is hereby amended by striking out the first
8 two lines thereof and inserting in lieu thereof the following:

9 "At any time after the issuance of summons, the clerk or judge, upon motion of the
10 defendant, shall require the plaintiff to do one of the following things and the failure to comply
11 with such order within thirty days from the date thereof shall constitute grounds for dismissal
12 of such civil action or special proceeding:"

13 **Sec. 2.** This Act shall not apply to pending litigation.

14 **Sec. 3.** All laws and clauses of laws in conflict with this Act are hereby repealed.

15 **Sec. 4.** This Act shall be in full force and effect from and after its ratification.

16 In the General Assembly read three times and ratified, this the 17th day of June,
17 1961.