

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 57
HOUSE BILL 80

AN ACT TO AMEND G.S. CHAPTER 153, ARTICLE 15 TO ELIMINATE OBSOLETE
NOMENCLATURE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 153-188 is amended by deleting ", constables," in line one.

Sec. 2. G.S. 153-189 is rewritten to read as follows: "Whenever there happens to be no jail, or when there is an unfit or insecure jail, in any county, the judicial officers of such county may commit all persons brought before them, whether in a criminal or civil proceeding, to the jail of any adjoining county, for the same causes and under the like regulations that they might have ordered commitments to the usual jail; and the sheriffs and other officers of such county in which there is no jail, or an unfit one, and the sheriffs or keepers of the jails of the adjoining counties, shall obey any order of commitment so made. Any officer failing to obey such order shall be guilty of a misdemeanor."

Sec. 3. G.S. 153-190 is rewritten to read as follows: "When the jail of any county is destroyed by fire or other accident, any judge or magistrate of such county may cause all prisoners then confined therein to be brought before him; and upon the production of the process under which any prisoner was confined shall order his commitment to the jail of any adjacent county; and the sheriff or other officer of the county deputized for that purpose shall obey the order; and the sheriff or keeper of the common jail of such adjacent county shall receive such prisoners. Any officer failing to obey such order of commitment shall be guilty of a misdemeanor."

Sec. 4. G.S. 153-194 is amended by repealing the second paragraph thereof.

Sec. 5. G.S. 153-181, 153-185, and 153-186 are repealed.

Sec. 6. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 5th day of March,

1973.