



CHAPTER 1

ARTICLE 35 - ATTACHMENT

N.C.G.S. § 1-440.12.

Order of attachment; form and contents.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT c. 693, s. 1 — first act in the lineage	RETRIEVED 21 September 2026, 05:38 UTC	SOURCE FINGERPRINT 01d6d5f6473e20b3b45e96e8 - 0c0643df5ffaa0fa6be34231 - 0bc94ae72321407d
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§ 1-440.12(a)

If the matters required by G.S. 1-440.11(a) are shown by affidavit to the satisfaction of the court and if the bond required by G.S. 1-440.10 is furnished, the court shall issue an order of attachment which shall

- (1) Show the venue, the court in which the action has been, or is being, commenced, and the title of the action;
- (2) Run in the name of the State and be directed to the sheriff of a designated county;
- (3) State that an affidavit for the attachment of the defendant's property has been filed with the court in the action, that the required attachment bond has been executed and delivered to the court and that it has been made to appear to the satisfaction of the court that the allegations of the plaintiff's affidavit for attachment are true;
- (4) Direct the sheriff to attach and safely keep all of the property of the defendant within the sheriff's county which is subject to attachment, or so much thereof as is sufficient to satisfy the plaintiff's demand, together with costs and expenses;
- (5) Direct that the order of attachment be returned to the clerk of the court in which the action is pending;
- (6) Show the date of issuance; and
- (7) Be signed by clerk or the judge issuing the order.

§ 1-440.12(b)

The order of attachment shall not contain a return date, but shall be returned to the clerk as provided by G.S. 1-440.16.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
1 ACT

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1947			1948
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT	
Nº	YEAR	ACT	CHARACTER
01	1947	c. 693, s. 1	ENACTED

APPARATUS II
3 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 1-440.11(a)	(a)	"If the matters required by"
G.S. 1-440.10	(a)	"and if the bond required by"
G.S. 1-440.16	(b)	"to the clerk as provided by"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 1-440.12 (1947).

PINPOINT

N.C. Gen. Stat. § 1-440.12(a) (1947).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1947, c. 693, s. 1.)

SET IN SPECTRAL AND ARCHIVO
NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

