



CHAPTER 41
ARTICLE 1 - SURVIVORSHIP RIGHTS AND FUTURE INTERESTS

N.C.G.S. § 41-4.

Limitations on failure of issue.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT s. 1737 — fifth act in the lineage	RETRIEVED 21 September 2026, 01:15 UTC	SOURCE FINGERPRINT 738a1be145418eedaf515d5d - bb065c2e8c496cb569af5db5 - b41c039df720d76d
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Every contingent limitation in any deed or will, made to depend upon the dying of any person without heir or heirs of the body, or without issue or issues of the body, or without children, or offspring, or descendant, or other relative, shall be held and interpreted a limitation to take effect when such person dies not having such heir, or issue, or child, or offspring, or descendant, or other relative (as the case may be) living at the time of his death, or born to him within 10 lunar months thereafter, unless the intention of such limitation be otherwise, and expressly and plainly declared in the face of the deed or will creating it: Provided, that the rule of construction contained in this section shall not extend to any deed or will made and executed before the fifteenth of January, 1828.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
5 ACTS

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.

	1827		1873		1919
	TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT				
Nº	YEAR	ACT	CHARACTER		
01	1827	c. 7	ENACTED		
02	1827	R.C., c. 43, s. 3	AMENDED		
03	1827	Code, s. 1327	AMENDED		
04	Rev.	s. 1581	RECODIFIED		

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 41-4 (2026).

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

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1827, c. 7; R.C., c. 43, s. 3; Code, s. 1327; Rev., s. 1581; C.S., s. 1737.)

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