



CHAPTER 8

ARTICLE 10 - DEPOSITIONS

N.C.G.S. § 8-83.

When deposition may be read on the trial.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	c. 491, s. 1 — seventeenth act in the lineage	21 September 2026, 01:15 UTC	95266664e720798c9aa9a7d5 - 29d495e649618f4614f15285 - 5d69087020640c2d

Every deposition taken and returned in the manner provided by law may be read on the trial of the action or proceeding, or before any referee, in the following cases, and not otherwise:

If the witness is dead, or has become insane since the deposition was taken.

If the witness is a resident of a foreign country, or of another state, and is not present at the trial.

If the witness is confined in a prison outside the county in which the trial takes place.

If the witness is so old, sick or infirm as to be unable to attend court.

If the witness is the President of the United States, or the head of any department of the federal government, or a judge, district attorney, or clerk of any court of the United States, and the trial shall take place during the term of such court.

If the witness is the Governor of the State, or the head of any department of the State government, or the president of the University, or the head of any other incorporated college in the State, or the superintendent or any physician in the employ of any of the hospitals for the insane for the State.

If the witness is a justice of the Supreme Court, judge of the Court of Appeals, or a judge, presiding officer, clerk or district attorney of any court of record, and the trial shall take place during the term of such court.

If the witness is a member of the Congress of the United States, or a member of the General Assembly, and the trial shall take place during a time that such member is in the service of that body.

Except in actions or proceedings governed by the Rules of Civil Procedure, if the witness has been duly summoned, and at the time of the trial is out of the State, or is more than seventy-five miles by the usual public mode of travel from the place where the court is sitting, without the procurement or consent of the party offering his deposition.

If the action is pending in a magistrate's court the deposition may be read on the trial of the action, provided the witness is more than 75 miles by the usual public mode of travel from the place where the court is sitting.

Except in actions or proceedings governed by the Rules of Civil Procedure, if the witness is a physician duly licensed to practice medicine in the State of North Carolina, and resides or maintains his office outside the county in which the action is pending.

If any provision of this section conflicts with the Rules of Civil Procedure, then those Rules shall control in actions or proceedings governed by them.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
17 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.

1777

1884

1991

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1777	c. 115, ss. 39, 40, 41, P.R.	ENACTED
02	1803	c. 633, P.R.	AMENDED
03	1828	ch. 24, ss. 1, 2	AMENDED
04	1836	c. 30	AMENDED
05	1836	R.C., c. 31, s. 63	AMENDED
06	1869	S.L. 1869-70, c. 227, s. 11	AMENDED
07	1881	c. 279, ss. 1, 3	AMENDED
08	1881	Code, s. 1358	AMENDED
09	1905	c. 366	AMENDED
10	Rev.	s. 1645	RECODIFIED
11	1919	c. 324	AMENDED
12	C.S.	s. 1821	RECODIFIED
13	1965	c. 675	AMENDED
14	1969	c. 44, s. 23	AMENDED
15	1971	c. 381, s. 7	AMENDED

16	1973	c. 47, s. 2	AMENDED
17	1991	c. 491, s. 1	AMENDED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 8-83 (1991).

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

(1777, c. 115, ss. 39, 40, 41, P.R.; 1803, c. 633, P.R.; 1828, ch. 24, ss. 1, 2; 1836, c. 30; R.C., c. 31, s. 63; 1869-70, c. 227, s. 11; 1881, c. 279, ss. 1, 3; Code, s. 1358; 1905, c. 366; Rev., s. 1645; 1919, c. 324; C.S., s. 1821; 1965, c. 675; 1969, c. 44, s. 23; 1971, c. 381, s. 7; 1973, c. 47, s. 2; 1991, c. 491, s. 1.)

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