CHAPTER 5

Buying and Selling of Offices Prohibited

**SECTION 8‑5‑10.** Repealed by 1991 Act No. 248, Section 5, eff January 1, 1992.

Editor’s Note

Former Section 8‑5‑10 was derived from 1962 Code Section 50‑101; 1952 Code Section 50‑101; 1942 Code Section 3068; 1932 Code Section 3068; Civ. C. ‘22 Section 755; Civ. C. ‘12 Section 673; Civ. C. ‘02 Section 604; 1896 (22) 123.

Former Section 8‑5‑10 prohibited nepotism. For the Ethics, Government Accountability, and Campaign Reform Act of 1991, see Sections 8‑13‑100 et seq.

**SECTION 8‑5‑20.** Buying and selling of offices forbidden.

If any person (a) bargain for the purchase or sale of, or sell, any office or deputation thereof, or any part thereof, (b) receive any money, fee, reward or any other profit, directly or indirectly or (c) take any promise, agreement, covenant, bond or assurance for the payment of any money, fee, reward or other profit, directly or indirectly, for any office or deputation thereof, or any part thereof or to the intent that any person should have, exercise or enjoy any office or deputation thereof, or any part thereof, which office, or any part thereof, shall in any wise touch or concern the administration or execution of justice or the receipt, control or payment of any public treasure, money, rent, revenue, account, auditorship or surveying of any public lands or which shall touch or concern any clerkship to be occupied in any court of record wherein justice is administered, such person shall not only lose and forfeit all right and interest in or to such office or deputation thereof, or any part thereof, but shall immediately, upon the payment of such fee, money or reward or upon any such promise, covenant, bond or agreement had or made for the payment of such fee, sum of money or reward, be adjudged a disabled person in law, to all intents and purposes, to have, occupy or enjoy such office or deputation, or any part thereof, for which any such person shall so give or enjoy or make any promise, covenant, bond or other assurance to give or pay any sum of money, fee or reward.

HISTORY: 1962 Code Section 50‑102; 1952 Code Section 50‑102; 1942 Code Section 3065; 1932 Code Section 3065; Civ. C. ‘22 Section 752; Civ. C. ‘12 Section 670; Civ. C. ‘02 Section 601; G. S. 454; R. S. 520; 1737 (3) 468.

**SECTION 8‑5‑30.** Sales and the like of offices shall be void.

Every bargain, sale, promise, bond, agreement, covenant and assurance, as before specified, shall be void to and against him by whom any such bargain, sale, bond, promise, covenant or assurance shall be had or made.

HISTORY: 1962 Code Section 50‑103; 1952 Code Section 50‑103; 1942 Code Section 3066; 1932 Code Section 3066; Civ. C. ‘22 Section 753; Civ. C. ‘12 Section 671; Civ. C. ‘02 Section 602; G. S. 555; R. S. 521; 1737 (3) 469.

**SECTION 8‑5‑40.** Official acts performed after offense but before removal shall be valid.

If any person shall offend in anything contrary to the tenor and effect of Sections 8‑5‑20 and 8‑5‑30, yet, notwithstanding, all judgments given and all other acts executed or done by such person so offending, by authority or color of the office or deputation which ought to be forfeited or not occupied or not enjoyed by the person so offending, after the offense so by such person committed or done and before such person so offending for such offense be removed from the exercise, administration and occupation of such office or deputation, shall be and remain good and sufficient in law to all intents, constructions and purposes.

HISTORY: 1962 Code Section 50‑104; 1952 Code Section 50‑104; 1942 Code Section 3067; 1932 Code Section 3067; Civ. C. ‘22 Section 754; Civ. C. ‘12 Section 672; Civ. C. ‘02 Section 603; G. S. 556; R. S. 522; 1737 (3) 469.