

§ 7A-103. Authority of clerk of superior court.

The clerk of superior court is authorized to:

- (1) Issue subpoenas to compel the attendance of any witness residing or being in the State, or to compel the production of any document or paper, material to any inquiry in his court.
- (2) Administer oaths, and to take acknowledgment and proof of the execution of all instruments or writings.
- (3) Issue commissions to take the testimony of any witness within or without the State.
- (4) Issue citations and orders to show cause to parties in all matters cognizable in his court, and to compel the appearance of such parties.
- (5) Enforce all lawful orders and decrees, by execution or otherwise, against those who fail to comply therewith or to execute lawful process. Process may be issued by the clerk, to be executed in any county of the State, and to be returned before him.
- (6) Certify and exemplify, under seal of his court, all documents, papers or records therein, which shall be received in evidence in all the courts of the State.
- (7) Preserve order in this court, punish criminal contempts, and hold persons in civil contempt; subject to the limitations contained in Chapter 5A of the General Statutes of North Carolina.
- (8) Adjourn any proceeding pending before him from time to time.
- (9) Open, vacate, modify, set aside, or enter as of a former time, decrees or orders of his court.
- (10) Enter default or judgment in any action or proceeding pending in his court as authorized by law.
- (11) Award costs and disbursements as prescribed by law, to be paid personally, or out of the estate or fund, in any proceeding before him.
- (12) Compel an accounting by magistrates and compel the return to the clerk of superior court by the person having possession thereof, of all money, records, papers, dockets and books held by such magistrate by virtue or color of his office.
- (13) Grant and revoke letters testamentary, letters of administration, and letters of trusteeship.
- (14) Appoint and remove guardians and trustees, as provided by law.
- (15) Audit the accounts of fiduciaries, as required by law.
- (16) Exercise jurisdiction conferred on him in every other case prescribed by law. (C.C.P., ss. 417, 418, 442; Code, ss. 103, 108; 1901, c. 614, s. 2; Rev., s. 901; 1919, c. 140; C. S., s. 938; 1949, c. 57, s. 1; 1951, c. 28, s. 1; 1961, c. 341, s. 2; 1971, c. 363, s. 3; 1979, 2nd Sess., c. 1080, s. 5.)

