

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 8.01-32 of the Code of Virginia, relating to action on lost evidences of*  
3 *debt; indemnifying bond.*

4 [S 59]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 8.01-32 of the Code of Virginia is amended and reenacted as follows:**

8 § 8.01-32. Action on lost evidences of debt; indemnifying bond.

9 A civil action may be maintained on any past due lost bond, note, or other written evidence of debt,  
10 and if judgment ~~be~~ *is* rendered for the plaintiff, there shall be entered as a part of the judgment that the  
11 plaintiff is not to have the benefit thereof, nor be allowed to enforce it by execution or otherwise, unless  
12 and until he shall have first entered into bond before the court or the clerk therein in such penalty as is  
13 prescribed in the judgment, and with condition to indemnify and save harmless the defendant from all  
14 loss or damage he may sustain or incur by reason of having to pay in whole or in part such past due  
15 lost bond, note, or other written evidence of debt to some other person than the plaintiff. The  
16 indemnifying bond hereinbefore required shall be payable to the defendant, and shall be filed in the  
17 clerk's office of the court in which the judgment is rendered.

18 In the event of any inconsistency between this section and any applicable provisions of ~~§ 8.3-804~~  
19 ~~§ 8.3A-309~~, the provisions of that section shall control.

ENROLLED

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