

NORTH CAROLINA GENERAL ASSEMBLY
1967 SESSION

CHAPTER 621
HOUSE BILL 554

1 AN ACT TO AMEND CHAPTER 156, ARTICLE 5, SECTION 57 OF THE GENERAL
2 STATUTES.

3
4 The General Assembly of North Carolina do enact:

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6 **Section 1.** Chapter 156, Article 5, Section 57, as the same appears in 1964
7 Replacement Volume 3C, is hereby rewritten so as to read as follows:

8 **§ 156-57. Bond Filed and Summons Issued.** Upon filing with the petition a bond for the
9 amount of fifty dollars (\$50.00) per mile for each mile of the ditch or proposed improvement,
10 signed by two or more sureties or by some lawful and authorized surety company, to be
11 approved by the Clerk of Superior Court, conditioned for the payment of all costs and expenses
12 incurred in the proceeding in case the Court does not grant the prayer of the petition, the Clerk,
13 shall at any time thereafter, issue summons to be served on all the defendant landowners, who
14 have not joined in the petition and whose lands are included in the proposed drainage district.
15 The summons may be served by publication as to any defendant who can not be personally
16 served as provided by law.

17 The attorney for the petitioners, shall certify to the Clerk of the Superior Court, prior to the
18 hearing on the final report of the board of viewers, that due diligence has been used to
19 determine the names of all landowners within the area of the proposed drainage district; and,
20 that summons has been issued for such landowners, so determined, and served either by
21 personal service or by publication for all known and unknown landowners, insofar as could be
22 determined by due diligence.

23 **Sec. 2.** That all laws and clauses of laws in conflict herewith are hereby repealed.

24 **Sec. 3.** This Act shall become effective upon its ratification.

25 In the General Assembly read three times and ratified, this the 30th day of May,
26 1967.