

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 614
HOUSE BILL 812

1 AN ACT TO ADD A NEW ARTICLE TO THE DRAINAGE DISTRICT LAW BY
2 AMENDING CHAPTER 156 OF THE GENERAL STATUTES TO PROVIDE FOR
3 IMPROVEMENT, RENOVATION, ENLARGEMENT AND EXTENSION OF CANALS,
4 STRUCTURES AND BOUNDARIES AND TO AMEND VARIOUS SECTIONS OF THE
5 DRAINAGE DISTRICT LAW.
6

7 The General Assembly of North Carolina do enact:
8

9 **Section 1.** Chapter 156 of the General Statutes is amended by adding a new Article
10 thereto which shall be designated as "Article 7B", and which shall read as follows:

11 "ARTICLE 7B

12 "IMPROVEMENT, RENOVATION, ENLARGEMENT AND EXTENSION OF CANALS,
13 STRUCTURES AND BOUNDARIES.

14 **"G.S. 156-93.2. Proceedings for improvement, renovation and extension of canals,
15 structures and equipment.** The board of commissioners may construct, renovate, improve,
16 enlarge and extend the drainage systems and water retardant structures and any equipment of
17 the district, by complying with the following provisions:

18 1. The commissioners shall file with the Clerk of Superior Court in the county in
19 which the district was organized, a petition which sets forth the need for the improvements
20 requested and a general description of the proposed improvements.

21 2. Upon the filing of the petition, the Clerk shall then appoint a board of viewers with
22 the same composition and qualifications as is required by G.S. 156-59. He shall direct the board
23 of viewers to consider the proposals of the board of commissioners and report to him (1)
24 whether or not the improvement proposed will benefit the lands sought to be benefited and (2)
25 whether or not the proposed improvement is practicable.

26 The board of viewers shall make their report to the Clerk within thirty days after their
27 appointment unless the time shall be extended by the court upon the showing of a meritorious
28 cause for the extension.

29 3. (a) If the board of viewers shall report (1) that none of the improvement
30 proposed will benefit the lands sought to be benefited, or (2) that it is not
31 practicable, the petition of the board of commissioners shall be dismissed
32 and shall not be submitted again within six months thereafter.

33 (b) If the board of viewers shall report (1) that part or all the improvement
34 proposed will benefit the lands sought to be benefited and (2) the proposed
35 improvement is practicable, then the Clerk shall fix a time and place for a
36 hearing upon said report. The said hearing shall be no less than twenty, nor
37 more than thirty, days after the filing of said report.

38 4. Notice of said hearing shall be given as follows:

39 (a) Posting and publication:

40 (1) posting at the courthouse door of the county in which the proceeding
41 is pending;

42 (2) posting at five conspicuous places within the district;

43 (3) the notice shall be posted at least twenty days prior to said hearing;

1 (4) publication in a newspaper with general circulation within the area
2 once a week for three successive weeks.

3 (b) Contents:

4 (1) the notice shall state the time and place for the hearing;

5 (2) describe in general terms the improvements proposed;

6 (3) that the court will consider and adjudicate the report of the board of
7 viewers.

8 5. At the date appointed for the hearing the Clerk shall hear and determine any
9 objections that may be offered to the said report. The Clerk may make such modifications and
10 changes which tend to increase the benefits of the proposed work or improvement.

11 6. (a) If the Clerk shall adjudicate that (1) none of the improvements proposed will
12 benefit any of the lands sought to be benefited or (2) that none of the
13 improvements are practicable, he shall dismiss the proceedings and the
14 petition shall not be submitted again within six months thereafter.

15 (b) If the Clerk shall approve the said report, he shall then direct the board of
16 viewers to prepare a further and detailed report which shall include the
17 following:

18 (1) specific plans and profiles together with estimates of the cost of the
19 work recommended by the said board of viewers and an estimate of
20 all other costs including those incurred by the board of viewers;

21 (2) if directed by the Clerk, a new property map of the district which
22 shall show thereon the general location of each tract of land which
23 will be benefited by the proposed work;

24 (3) a statement showing the classification of benefits to be received by
25 the several tracts of lands. This classification shall be determined and
26 shown in the same manner as is provided for in G.S. 156-71. The
27 board of viewers may adopt the original classification. Only those
28 lands to be benefited by the proposed work shall be classified for
29 assessment.

30 The board of viewers shall have, insofar as applicable, the same
31 powers and duties as relate to the final report as are required and
32 provided in Article 5 by G.S. 156-69, 156-70, 156-70.1 and 156-71.

33 The board of viewers shall make their report to the Clerk within
34 sixty days after their appointment. The Clerk may extend this time
35 upon the showing of meritorious cause for the extension.

36 The expense of the board of viewers, their assistants, and all costs
37 incurred by them shall be paid from any surplus funds of the district,
38 as defined in this subchapter, or if such are not sufficient, by the
39 same means of financing as are available for such purposes when the
40 district is originally organized. The estimate of the expenditures shall
41 be shown in its report and all amounts of money expended shall be
42 reimbursed when funds are available.

43 7. Upon the filing of the said report, the Clerk shall fix a time and a place for a hearing
44 thereupon.

45 8. The notice of the hearing upon said report shall be given in the same manner as
46 required for the notice of the proposed work as required by the preceding Section 4 which
47 relates to the preliminary hearing.

48 Also, a notice of said hearing shall be mailed at least ten days prior to the hearing, to those
49 landowners as their names appear upon the statement of classification of benefits filed with the
50 report of the board of viewers and whose names and addresses are shown on the tax scrolls of

1 the county wherein their land is situated. The attorneys for, or commissioners of, the district
2 shall use due diligence to determine the said names and addresses from the tax scrolls.

3 The filing with the Clerk of the Superior Court of a certificate by the attorney for, or the
4 commissioners of, the district, that due diligence has been used to obtain the names and
5 addresses from the tax scrolls and that notice has been mailed to those persons at the address
6 shown, shall be sufficient showing that this provision has been complied with. The certificate
7 shall state the names, addresses and date to whom such notice was mailed.

8 9. At the date set for the hearing any landowner may appear in person, or by counsel,
9 and file his objections in writing to the report of the board of viewers. It shall be the duty of the
10 Clerk to carefully review the report of the board of viewers and the objections filed thereto and
11 make such changes as are necessary to render substantial and equal justice to all landowners in
12 the district.

13 If the Clerk shall adjudicate that the benefits which will accrue to the lands affected are
14 greater than the cost of the improvements, the report of the board of viewers shall be
15 confirmed. The Clerk shall then direct the commissioners of the district to proceed with the
16 improvements as approved.

17 If, however, the Clerk finds that the cost of the improvements is greater than the resulting
18 benefits that will accrue to the lands affected, the Clerk shall dismiss the proceedings.

19 10. Any landowner who is aggrieved may, within ten days, after the confirmation of the
20 report of the board of viewers, appeal to the Superior Court in term time or in chambers. The
21 appeal shall be heard only upon exceptions theretofore filed in writing, by the complaining
22 party. All of the terms, provisions and procedures of G.S. 156-75 shall apply to the appeal.

23 **"G.S. 156-93.3. Extension of boundaries.** The boundaries of a drainage district may be
24 extended upon compliance with the requirements and procedures as follows:

25 1. The request for extension shall be made by the board of commissioners of the
26 district, in the form of a petition in the name of the drainage district, to the Clerk of the
27 Superior Court of the county wherein the district was originally organized. The proceeding may
28 be ex parte or adversary.

29 2. The area proposed to be included within the boundaries of the district must be
30 either:

31 (a) Located upstream and adjacent to the existing boundary of the district and
32 must have as its only source of drainage either:

33 (1) the canals of the district; or

34 (2) natural or artificial drain ways which empty into or are benefited by
35 the canals of the district; and

36 (3) must be within the watershed of the existing district; or

37 (b) adjacent to the existing boundary of the district and have a common outfall
38 with the existing district.

39 3. (a) In the event the area meets the requirements of 2(a), it shall only be
40 necessary for the petition to be filed by the board of commissioners of the
41 district.

42 (b) In the event the area meets the requirement of 2(b) of the preceding Section,
43 the owners of fifty per cent (50%) or more of the land area which it is
44 proposed to include for forty per cent (40%) or more of the resident
45 landowners who will be benefited within such area, must join with and be
46 petitioners with the commissioners of the existing district, asking for the
47 extension of boundaries and inclusion of land within the existing district.

48 4. Upon filing of the petition for extension of the boundaries, the Clerk of the Superior
49 Court shall appoint a board of viewers with the same composition and qualifications as is
50 required by G.S. 156-59. The board of viewers shall examine the area proposed to be included
51 within the boundaries of the district to determine whether or not, in their opinion, it is feasible

1 and equitable to include said area within the boundaries of the district, and report their finding
2 to the court. The report must be made within thirty days after the appointment of said board of
3 viewers. The time for filing said report may be extended by the Clerk upon a showing of a
4 meritorious cause for the extension.

5 5. If the board of viewers shall report that the proposed extension of boundary is not
6 feasible or equitable, the petition shall be dismissed and shall not be submitted again until after
7 six months from date of dismissal.

8 6. (a) If the board of viewers shall report that the proposed extension of boundary
9 is feasible and equitable, then the Clerk of Superior Court shall order the
10 board of viewers to make a further and detailed report which shall include a
11 map of the area that is proposed to be annexed which shall show:

- 12 (1) boundaries of the existing district;
- 13 (2) boundaries of the proposed extension;
- 14 (3) a general location of each individual tract of land which will be
15 benefited.

16 (b) In the event no additional work is proposed, the board of viewers shall report
17 the following:

- 18 (1) the allocation of benefits derived from the existing canals, structures
19 or other improvements, between the existing district and the area to
20 be included within the boundaries of the existing district, which shall
21 be a percentage figure and shall be the major factor for the
22 determination of the requirements set forth in the succeeding
23 subsections (2) and (3);
- 24 (2) the amount of money, if any, which the owners of the land to be
25 included within the district should pay for the use of the canals,
26 structures or other improvements of the district;
- 27 (3) the percent of the cost of maintenance and operating expenses which
28 the owners of the land to be included, should pay;
- 29 (4) classification of the additional lands as to benefits derived from the
30 existing canals, structures or other improvements of the district
31 which shall be in accordance with the provisions of G.S. 156-71. The
32 area of the existing district shall not be reclassified, unless directed
33 by the Clerk of the Superior Court;
- 34 (5) the names and addresses of the landowners within the areas proposed
35 to be included insofar as may be determined from the tax records of
36 the county;
- 37 (6) such other information as may be appropriate or as may be directed
38 by the Clerk of the Superior Court.

39 (c) In the event additional work is proposed, the report of the board of viewers
40 shall also contain the information required in G.S. 156-93.2, as it applies to
41 the final report of the board of viewers.

42 7. The board of viewers shall file their detailed or final report within sixty (60) days
43 after their appointment. The time for filing of said report may be extended by the Clerk upon a
44 showing of meritorious cause for the extension.

45 8. Upon the filing of said report those landowners in the area to be included who are
46 not parties to the proceedings and who do not desire to sign the petition, shall be made parties
47 defendant. Summons shall be served upon the defendants in the manner required for special
48 proceedings. There shall be attached to and served with the summons, in lieu of a copy of the
49 petition or final report, a statement which shall set forth (1) the purpose of the proceedings and
50 (2) that the report of the board of viewers is on file in the office of the Clerk of the Superior
51 Court and may be examined by persons interested.

1 9. The attorney for, or the commissioners of, the district shall use due diligence to give
2 notice to every landowner within the area proposed to be included, who has not signed the
3 petition asking for such extension of boundaries and/or the proposed improvements.

4 The filing of a certificate by the attorney for, or the commissioners of, the district that due
5 diligence has been used to notify each of said dedendant landowners shown by the report of the
6 board of viewers, either by personal service or by publication, shall be sufficient showing of
7 compliance with this provision. The certificate shall contain the names of such landowners
8 served personally, the date of service and the names of those served by publication and the date
9 of service by publication.

10 10. Upon filing of said certificate the Clerk shall fix a time and place for a hearing upon
11 said report, which date shall be no less than twenty days after filing of said certificate.

12 11. Notice of said hearing shall be given as follows:

13 (a) Posting and publication:

14 (1) posting at the courthouse door of the county in which the proceeding
15 is pending;

16 (2) posting at five conspicuous places in the district and in the area to be
17 included;

18 (3) the notice shall be posted at least twenty days prior to the said
19 hearing;

20 (4) publication in a newspaper with general circulation within the area
21 once a week for three successive weeks;

22 (5) mailing a copy of the notice to those persons for whom an address is
23 shown in the certificate filed by the attorney for, or commissioners
24 of, the district.

25 (b) Contents:

26 (1) the notice shall state the time and place for the hearing;

27 (2) describe in general terms the area proposed to be included and work
28 proposed, if any;

29 (3) that the court will consider and adjudicate the report of the board of
30 viewers.

31 12. At the date set for hearing any landowner may appear in person or by counsel and
32 file his objection in writing to the report of the board of viewers. It shall be the duty of the
33 Clerk to carefully review the report of the board of viewers and the objections filed thereto and
34 make such changes as are necessary to render substantial and equal justice to all of the
35 landowners and the existing district.

36 13. The Clerk shall, after making adjustments in the report of the board of viewers, if
37 any, determine:

38 (a) if the area(s) of land sought to be included, or any part thereof, is, or will be,
39 benefitted by the canals, structures or other improvements of the district.

40 (b) if such area(s) should equitably be included within the boundary of the
41 district because of the benefits received or to be received from the district.

42 (c) if the requirements of the preceding Section 3(b), if applicable, are met.

43 If the Clerk shall determine that all of the three preceding requirements are met, he shall
44 direct that the area(s) of land be included within the boundaries of the district, in accordance
45 with the provisions of the report of the board of viewers, as approved.

46 14. If the Clerk shall determine either;

47 (a) that no part of the area proposed to be included is or will be benefitted by the
48 canals, structure or other improvements of the district and equitably should
49 not be included within the boundaries of the district; or

50 (b) that the requirements of the preceding Sections 3(a) or 3(b), whichever is
51 applicable, have not been complied with; he shall dismiss the proceeding.

1 15. Any landowner who is aggrieved may, within ten days, after the confirmation of the
2 report of the board of viewers appeal to the Superior Court in term time or in chambers. The
3 appeal shall be heard only upon those exceptions theretofore filed in writing by the
4 complaining party. All of the terms, provisions and procedures of G.S. 156-75 shall apply to
5 the appeals.

6 16. The duties and powers of the board of commissioners as to those lands included
7 within the district by the current proceedings shall be the same as to those in the original
8 proceeding.

9 **"G.S. 156-93.4. Coordination of proceedings under G.S. 156-93.2 and 156-93.3.** In the
10 event a proceeding shall be instituted as provided for in G.S. 156-93.2 and shall also include
11 the extension of boundaries, as provided for in G.S. 156-93.3, the provisions of G.S. 156-93.2
12 and 156-93.3 shall be coordinated and if there shall be any conflict as to procedure, that
13 provided for in G.S. 156-93.3 shall be followed.

14 **"G.S. 156-93.5. Assessments and bonds for improvement, renovation, enlargement and
15 extension.** The board of drainage commissioners shall, for the purposes set forth in this Article,
16 levy the necessary assessments and may issue bonds or other debentures for the purpose of
17 providing funds for the construction or acquisition of any of the improvements or works
18 authorized by this Article, 7B. The time and manner of levying assessments and the issuance of
19 bonds or other debentures and the terms thereof shall be the same as provided for in Article 8 of
20 subchapter III.

21 **"G.S. 156-93.6. Rights-of-way and easements for existing districts.** All drainage districts
22 heretofore created shall be deemed to own an easement or right-of-way in and to those lands
23 upon which there are existing canals and spoil banks.

24 Whenever the proposed repairs, maintenance or other improvement make it necessary for
25 the drainage district to acquire additional land for easements or right-of-way, the procedure to
26 secure the same shall be in accordance with G.S. 156-70.1.

27 **"G.S. 156-93.7. Existing districts may act together to extend boundaries within
28 watershed.** If there should be more than one drainage district in a drainage basin, or watershed,
29 the board of drainage commissioners of the several districts may join with the owners of land
30 within the drainage basin and which are not included in a drainage district, in a petition to the
31 court, asking for the creation of a drainage district that will include the entire drainage basin, or
32 watershed. In the event this method should be followed, the requirements hereinafter set forth
33 shall be complied with:

34 1. The board of drainage commissioners of the several districts shall act for the several
35 landowners within each district, and by their doing so it shall not be necessary for the several
36 landowners within the districts to sign the petition.

37 2. The proceedings shall be the same as provided in G.S. 156-93.2 and G.S. 156-93.3.

38 3. The board of drainage commissioners and the individual landowners within each
39 district may appear and be heard at any hearing before the court, with the same rights as those
40 landowners in the drainage basin who are not within the boundaries of a drainage district.

41 4. The requirements of Sections 2 and 3 of G.S. 156-93.3 shall be applicable.

42 5. The board of viewers shall, in their final report, include the following:

43 (a) allocation of the percent of cost of construction, maintenance, operating and
44 all other cost and expenses between the several existing districts and the
45 areas not in an existing district;

46 (b) classify the benefits in the areas not included within existing districts in
47 accordance with G.S. 156-71.

48 6. The board of drainage commissioners of the existing districts shall be responsible
49 for the levy and collection of costs allocated to the several districts.

1 7. The board of drainage commissioners of the comprehensive district shall be
2 responsible for the levying and collection of all costs and expenses allocated to the area not
3 within an existing district.

4 8. The provisions for the levying of assessments and the issuance of bonds or other
5 debentures, shall be the same for the existing districts and the comprehensive district, as is
6 provided in G.S. 156-93.5."

7 **Sec. 2.** Amend Article 6 of Chapter 156 of the General Statutes by adding thereto,
8 immediately after G.S. 156-82, a new Section to be designated as "G.S. 156-82.1", and which
9 shall read as follows:

10 **"G.S. 156-82.1. Duties and powers of the board of drainage commissioners.** 1. The board
11 of drainage commissioners shall proceed with the levying of assessments, issuance of bonds
12 and construction of canals, water retardant structures and other improvements and acquisition
13 of equipment as approved by the court in the adjudication upon the final report of the board of
14 viewers, either in the creation of the district or in subsequent proceedings authorized by Article
15 7B.

16 2. The commissioners shall maintain the canals, water retardant structures, and all
17 other improvements and equipment of the district.

18 3. The commissioners, with the approval of the Clerk of the Superior Court, may use
19 surplus funds in such manner as they deem best for (a) the maintenance of the improvements,
20 (b) construction or enlargement of canals and water retardant structures, or other improvements
21 or equipment, (c) replacement or acquisition of equipment or structures, and (d) for payment of
22 any or all operating expenses including salaries, fees and costs of court.

23 The term 'surplus funds' is defined to mean any funds remaining after the payment of those
24 items set forth specifically in the certificate of assessment, as well as funds provided in said
25 certificate for maintenance and contingencies, and also, shall include maintenance and any
26 other funds which the said commissioners may have on hand and which are not necessary for
27 the payment of the bonds and interest thereon which have been issued by the said district.

28 4. The board of commissioners may agree, or contract, with any agency of the
29 government of the United States or of North Carolina for such engineering or other services as
30 may be provided by such agency.

31 5. The board of commissioners may, in its discretion, release areas taken for
32 rights-of-way if it determines, after the construction of the canals, that such are not needed for
33 the purpose of the district. The release must be approved by the Clerk of the Superior Court and
34 such release shall be filed in the proceedings by virtue of which the district was created.

35 6. The board of drainage commissioners shall have all the duties and powers as set
36 forth and imposed upon them by the various Sections of this subchapter and all others which
37 are necessary to promote the purposes of the district.

38 All improvements constructed and acquired under the provisions of this subchapter shall be
39 under the control and supervision of the board of drainage commissioners. It shall be their duty
40 to keep all improvements in good repair."

41 **Sec. 3.** Amend Article 11 of Chapter 156 of the General Statutes, as amended, by
42 adding, immediately after G.S. 156-138.2, as the same appears in the 1959 Cumulative
43 Supplement, a new Section to be designated as "G.S. 156-138.3", which shall read as follows:

44 **"G.S. 156-138.3. Notice.** Unless specifically required by the provisions of this subchapter, it is
45 not necessary to give notice to any landowner of a motion made to, or order rendered by the
46 Clerk of Superior Court or Judge of the Superior Court relating to the affairs of the district,
47 financial or otherwise, except when an assessment is proposed to be made upon his land and
48 then such notice shall be given as is required by the provisions of this subchapter. This
49 provision for notice of assessment shall not apply to assessments for annual maintenance
50 expenses, which are provided for in this subchapter, and specifically in Article 7A and
51 G.S. 156-92."

1 **Sec. 4.** Amend G.S. 156-59 by striking out in lines 1 and 2 of said Section the
2 following: "Upon the return day the Clerk shall", and inserting in lieu thereof the following:

3 "The Clerk shall, on the filing of petition and bond,".

4 **Sec. 5.** Amend G.S. 156-69, as the same appears in the 1959 Cumulative
5 Supplement, by striking out the word "canals", the same being the last word in the first
6 sentence of the second paragraph of said Section, and by inserting in lieu thereof the word
7 "district".

8 **Sec. 6.** Amend G.S. 156-61 by striking out the word "shall", appearing at the
9 beginning of the second line of said Section, and inserting in lieu thereof the word "may".

10 **Sec. 7.** Amend G.S. 156-71 by adding a new paragraph at the end of said Section,
11 which shall read as follows:

12 "The board of viewers may determine that some areas of the district will receive more
13 benefits than other areas and if such is determined, the varying benefits shall be reflected in the
14 manner of classification of benefits to each area and the tracts of land therein."

15 **Sec. 8.** Amend G.S. 156-93.1, by striking out the second sentence in subsection (1)
16 of said Section, and inserting in lieu thereof the following:

17 "The amount of these assessments shall be determined by the board of drainage
18 commissioners and must be approved by the Clerk of Superior Court prior to their annual
19 levy."

20 **Sec. 9.** Amend G.S. 156-69, as the same appears in the 1959 Cumulative
21 Supplement, by adding at the end of said Section a new paragraph, which shall read as follows:

22 "The board of viewers and engineers of the district may use control or semi-control, mosaic
23 aerial photographs or other sources and stereoscopic or other methods, generally used and
24 deemed acceptable by civil and drainage engineers for the purpose of obtaining the information
25 required in this Section and in lieu of a detailed ground survey. In the event a detailed ground
26 survey is not made, only those ground markings need be made as the board of viewers deem
27 necessary. The location of the proposed canals must be shown on the ground prior to actual
28 construction."

29 **Sec. 10.** Amend Article 5 of Chapter 156 of the General Statutes by adding,
30 immediately after G.S. 156-78, a new Section to be designated as "G.S. 156-78.1", which shall
31 read as follows:

32 **"G.S. 156-78.1. Municipalities.** (1) Any municipality may participate in drainage district
33 works or projects upon mutually agreeable terms relating to such matters as the construction,
34 financing, maintenance and operation thereof.

35 (2) Any municipality may contribute funds toward the construction, maintenance and
36 operation of drainage district works or projects, to the extent that such works or projects:

37 (a) Provide a source of municipal water supply for the municipality, or protect
38 an existing source of such supply, enhance its quality or increase its
39 dependable capacity or quantity, or implement or facilitate the disposal of
40 sewage of the municipality; or

41 (b) Protect against or alleviate the effects of floodwater or sediment damages
42 affecting, or provide drainage benefits for property owned by the
43 municipality or its inhabitants.

44 (3) Municipal expenditures for the aforesaid purposes are declared to be for necessary
45 expenses. Municipalities may enter continuing contracts, some portion or all of which may be
46 performed in an ensuing year, agreeing to make periodic payments in ensuing fiscal years to
47 drainage districts in consideration of benefits set forth in subsection (b) of this Section, but no
48 such contract may be entered into unless sufficient funds have been appropriated to meet any
49 amount to be paid under the contract in the fiscal year in which the contract is made. The
50 municipal governing body shall, in the budget ordinance of each ensuing fiscal year during
51 which any such contract is in effect, appropriate sufficient funds to meet the amount to be paid

1 under the contract in such ensuing fiscal year. The statement required by G.S. 160-411.1 to be
2 printed, written or typewritten on all contracts, agreements, or requisitions requiring the
3 payment of moneys shall be placed on such a continuing contract only if sufficient funds have
4 been appropriated to meet the amount to be paid under the contract in the fiscal year in which
5 the contract is made.

6 (4) The provisions of this Section are permissive. If a municipality does not participate
7 in accordance with the provisions of this Section, then the other provisions of subchapter III
8 shall apply and be followed."

9 **Sec. 11.** G.S. 156-118, 156-119, 156-120 and 156-124.1 be and the same are hereby
10 repealed.

11 **Sec. 12.** All laws and clauses of laws in conflict with this Act are hereby repealed.

12 **Sec. 13.** This Act shall be in full force and effect from and after its ratification.

13 In the General Assembly read three times and ratified, this the 2nd day of June,
14 1961.