CHAPTER 29

Legal Notices, Generally

**SECTION 15‑29‑10.** Computing time for publication of notices.

The time for publication of legal notices shall be computed so as to exclude the first day of publication and include the day on which the act or event, of which notice is given, is to happen or which completes the full period required for publication.

HISTORY: 1962 Code Section 10‑1301; 1952 Code Section 10‑1301; 1942 Code Section 822; 1932 Code Section 822; Civ. P. '22 Section 773; Civ. P. '12 Section 459; Civ. P. '02 Section 421; 1870 (14) 521 Section 440.

**SECTION 15‑29‑20.** Publication in four successive weeks as equivalent of publication for one month or thirty days.

When publication for one month or thirty days is required the publication in four successive weeks shall be sufficient if at least twenty‑nine days shall have expired after the first publication thereof on or before the date fixed for the doing of the thing of which notice is given.

HISTORY: 1962 Code Section 10‑1302; 1952 Code Section 10‑1302; 1942 Code Section 8903; 1932 Code Section 8903; Civ. C. '22 Section 5716; 1921 (32) 217.

**SECTION 15‑29‑30.** Publication in three successive weeks as equivalent of publication for three weeks or twenty‑one days.

When the statute requires a notice to be published in a newspaper for three weeks or twenty‑one days the publication of such notice in three successive weeks shall be sufficient if at least sixteen days shall have expired after the date of the first publication and on or before the date fixed for the doing of the thing of which notice is given.

HISTORY: 1962 Code Section 10‑1303; 1952 Code Section 10‑1303; 1942 Code Section 8900; 1932 Code Section 8900; Civ. C. '22 Section 5713; 1921 (32) 217.

**SECTION 15‑29‑40.** Publication in two successive weeks as equivalent of publication for two weeks or fifteen days.

When it is required that notice be published in a newspaper for two weeks or fifteen days the publication of such notice in two successive weeks shall be sufficient if at least eight days shall have expired after the date of the first publication and on or before the date fixed for the doing of the thing for which notice is given.

HISTORY: 1962 Code Section 10‑1304; 1952 Code Section 10‑1304; 1942 Code Section 8901; 1932 Code Section 8901; Civ. C. '22 Section 5714; 1921 (32) 217.

**SECTION 15‑29‑50.** Publication for one week.

When it is required that notice be published in a newspaper for one week the first publication of such notice shall precede the date fixed for the doing of the thing at least six days.

HISTORY: 1962 Code Section 10‑1305; 1952 Code Section 10‑1305; 1942 Code Section 8902; 1932 Code Section 8902; Civ. C. '22 Section 5715; 1921 (32) 217.

**SECTION 15‑29‑60.** Length of time legal sales shall be advertised.

All notices for the sale of any real estate under execution or order of court shall be advertised for twenty‑one days, that is to say once a week for at least three weeks prior to such sale. All notices for such sales of personal property, unless otherwise specially ordered, shall be advertised for fifteen days, that is to say once a week for two weeks before such sale.

HISTORY: 1962 Code Section 10‑1306; 1952 Code Section 10‑1306; 1942 Code Section 8899; 1932 Code Section 8899; Civ. C. '22 Section 5712; Civ. C. '12 Section 4200; Civ. C. '02 Section 3093; G. S. 2424; R. S. 2543; 1875 (16) 14; 1878 (16) 482.

**SECTION 15‑29‑70.** Probate notices or citations which need not be published in newspaper.

It shall not be necessary to publish in any newspaper any notice or citation relating to any estate in the courts of probate when the value of such estate does not exceed five hundred dollars. In such cases the notices required by law shall be posted for the time required by law at the door of the courthouse of the county in which the probate proceeding is filed.

HISTORY: 1962 Code Section 10‑1307; 1952 Code Section 10‑1307; 1942 Code Section 212; 1932 Code Section 212; Civ. P. '22 Section 170; Civ. P. '12 Section 46; 1911 (27) 135; 1933 (38) 493; 1960 (51) 1748.

**SECTION 15‑29‑80.** Charges for legal advertisements in newspapers.

State and county officials authorized by law to publish advertisements in the newspapers of this State, including advertisements of sales of real and personal property by masters, clerks of court, judges of probate and sheriffs, citations, notices to creditors, notices of final settlement by executors, administrators, guardians and all other persons acting in a fiduciary capacity, service of summons by publication, notices of election ordered by commissioners, reports of county treasurers, supervisors and superintendents of education, notices of county auditors, proclamations of the executive department, proposals for works and supplies by the head of departments or other officials authorized to advertise for competitive bids and all other advertising whatever done by order of court or by State and county officials, shall be charged not more than the local retail display advertising rate shown on the newspaper's rate card or the rates published in the newspaper, deducting any and all applicable discounts earned by the volume or frequency of the legal advertising. The advertisement shall be set in solid six point type, including the caption and all other parts of the advertisement. Newspapers that do not use six point type shall receive compensation based on six point measure and any lesser measure shall be charged only at actual space measurement as printed; however, agencies placing advertisements may order larger measure at their discretion.

The publication of any of the notices provided for in this section may be let by contract for not more than the price authorized by this section.

No publication will be allowed to make any extra charges for affidavit of publication.

HISTORY: 1962 Code Section 10‑1308; 1952 Code Section 10‑1308; 1942 Code Section 8894; 1932 Code Section 8894; Civ. C. '22 Section 5707; Civ. C. '12 Section 4195; Civ. C. '02 Section 3091; 1899 (22) 47; 1902 (23) 1074; 1905 (24) 847; 1915 (29) 72; 1919 (31) 45; 1921 (32) 160; 1977 Act No. 146, Section 1.

**SECTION 15‑29‑85.** Charges for legal advertisements in newspapers: rates for indigents.

Notwithstanding other provisions of Section 15‑29‑80 with regard to legal advertising rates, any person required to publish a summons or other legal notice who qualifies as an indigent shall not be charged an amount exceeding one dollar per inch for the first insertion and not exceeding fifty cents per inch for each subsequent insertion of that legal advertisement. Advertisements published under the provisions of this section shall comply with the layout requirements set forth in Section 15‑29‑80 with charges calculated in accordance with the measurement provisions set forth therein. As used in this section "indigent" means a person whose legal assistance is paid for with public funds or who would be qualified for such assistance in the proceeding which requires publication of the legal notice concerned.

HISTORY: 1977 Act No. 146, Section 2.

**SECTION 15‑29‑90.** Printing accounts shall be rendered under oath.

All accounts rendered for printing shall be under oath that such accounts are in accordance with the requirements of this chapter.

HISTORY: 1962 Code Section 10‑1309; 1952 Code Section 10‑1309; 1942 Code Section 8894; 1932 Code Section 8894; Civ. C. '22 Section 5707; Civ. C. '12 Section 4195; Civ. C. '02 Section 3091; 1899 (22) 47; 1902 (23) 1074; 1905 (24) 847; 1915 (29) 72; 1919 (31) 45; 1921 (32) 160.

**SECTION 15‑29‑100.** Advertisements shall be posted if newspapers refuse to publish at rates fixed.

If the proprietors or managers of the newspapers in any county shall refuse to insert such advertisements in their newspapers at the rates allowed in Section 15‑29‑80 such notices shall be posted in at least three public places in the county, one of which shall be at the courthouse door.

HISTORY: 1962 Code Section 10‑1310; 1952 Code Section 10‑1320; 1942 Code Section 8894; 1932 Code Section 8894; Civ. C. '22 Section 5707; Civ. C. '12 Section 4195; Civ. C. '02 Section 3091; 1899 (22) 47; 1902 (23) 1074; 1905 (24) 847; 1915 (29) 72; 1919 (31) 45; 1921 (32) 160.