

58-2605. Heirs of deceased partner to join with surviving partners in filing plat; action to compel heirs to execute deeds or plats.

If no map or plat of such land has been made and acknowledged by the deceased partner agreeably to law, his or her heirs shall join with the surviving partner or partners in acknowledging and filing such plat; and such acknowledgment shall have the same force and effect as if done by such deceased partner in his or her lifetime: *Provided*, That such heirs shall not be required to pay any part of the expense of preparing such deeds or plats, or of the officer's fees for taking the acknowledgments thereof. If the heirs shall refuse or neglect so to execute, acknowledge and deliver such deeds or plat, the district court, in an action duly prosecuted in the proper county by the surviving partner or partners against such heirs, shall compel the execution, acknowledgment and delivery thereof.

History: G.S. 1868, ch. 109, § 16; Oct. 31; R.S. 1923, 67-605.