

**THE DRAIN CODE OF 1956 (EXCERPT)**  
**Act 40 of 1956**

**280.394 Abandoned and vacated drains; disposal of funds, payments by township treasurer.**

Sec. 394.

In case any person who might be entitled to be paid any sum of money in accordance with this act because of a special assessment or tax paid by him for the construction of such drain shall have died, payment as aforesaid shall be made to his personal representatives or to those entitled under the law to take and receive any personal property of which such person so dying may have been possessed at the time of his death. In case of any payment made by a firm that shall have been dissolved, payment to any member of said firm shall be deemed a compliance herewith on the part of the township treasurer: Provided, however, That if no person who was a member of such firm is surviving or can be found, payment may be made to the distributees of any member: Provided further, That when any person claiming an interest in the amount to which any firm would, if still in existence, be entitled shall notify the township treasurer to withhold payment pending a determination of the rights of various claimants, it shall be the duty of the township treasurer to retain the amount involved for such a reasonable time as will permit such determination to be made. In all cases where a corporation that would, if existing, be entitled to receive a payment of money under the provisions of this act has been dissolved and its affairs wholly wound up, and in all cases where it is impossible to find the person or persons entitled to any sum of money herein, such amount or amounts shall, after a lapse of 2 years from and after the publication of notice provided for in section 393 hereof, be paid over by the township treasurer into the general fund of the township.

**History:** 1956, Act 40, Imd. Eff. Mar. 28, 1956

**Popular Name:** Act 40