

Chapter 202

Establishment of New Counties; Change of Boundaries

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ATTY. GEN. OPINIONS: Extent of legislative authority to change boundaries, 1964-66, p 143; legislative authority to consolidate counties, (1968) Vol 34, p 356.

202.020

NOTES OF DECISIONS

The county court is not without authority to entertain separate proposals for the formation of two or more counties at the same time. *Russell v. Crook County Court*, (1915) 75 Or 168, 145 P 653, 146 P 806.

This legislation is the nature of an enabling Act by which the people may carry into effect their desires. *Barber v. Johnson*, (1917) 86 Or 390, 167 P 800, 1183.

202.030

ATTY. GEN. OPINIONS: Construing "next succeeding general election," 1964-66, p 21.

202.040

ATTY. GEN. OPINIONS: Construing "commissioners," 1964-66, p 21.

202.060

NOTES OF DECISIONS

The Governor's proclamation of the creation of a new

county is prima facie proof of the validity of the election proceedings. *State v. Deschutes County*, (1918) 88 Or 661, 173 P 158.

The courts will take judicial notice of the action of the Secretary of State in canvassing the votes and that of the Governor in proclaiming the creation of a new county. *Id.*

202.120

NOTES OF DECISIONS

The fixing of a county seat was "legislation" within the constitutional provision reserving to the voters of every municipality and district the initiative and referendum as to local, special and municipal legislation. *Barber v. Johnson*, (1917) 86 Or 390, 396, 167 P 800, 1183.

202.160

ATTY. GEN. OPINIONS: Transcription of records affecting real property, 1926-28, p 90.

202.170

ATTY. GEN. OPINIONS: Procedure for issuance of execution to enforce a judgment obtained in Crook County prior to organization of Deschutes County, 1920-22, p 428.