

MINNESOTA STATUTES 1947 ANNOTATIONS

370.01 NEW COUNTIES AND CHANGE OF BOUNDARIES

884

COUNTIES AND COUNTY OFFICERS

CHAPTER 370

NEW COUNTIES AND CHANGE OF BOUNDARIES

370.01 CHANGE OF BOUNDARIES; CREATION OF NEW COUNTIES.

For the purpose of establishing jurisdiction as based upon diversity of citizenship, an organized county of the state is a "citizen." *Pettibone v Cook County*, 120 F(2d) 850.

Legal nature and status of the American county. 14 MLR 141, 20 MLR 583.

370.04 RECORD PETITION; PUBLISH NOTICE.

The proceedings of the governor, secretary of state and state auditor under provisions of L. 1895, c. 298, relating to enlargement of organized counties, are neither judicial nor quasi judicial in their nature, and cannot be reviewed on certiorari. *State ex rel v Clough*, 64 M 378, 67 NW 202.

370.07 CANVASS; PROCLAMATION; SECRETARY OF STATE; AUDITOR; NOTICE TO COUNTY COMMISSIONERS.

All presumptions in favor of the commission established by L. 1895, c. 298, may be rebutted by showing that such finding is not supported either by actual existing facts, or by any competent or proper evidence of such facts. *State ex rel v Board*, 66 M 519, 68 NW 767; 69 NW 925; 73 NW 631.