

terminated by the state soil conservation committee as aforesaid, but in no event shall they include any area included within the boundaries of another soil conservation district organized under the provisions of this act.

7. Petitions for including additional territory, within an existing district or for withdrawing territory already within a district may be filed with the state soil conservation committee, and the proceedings herein provided for in the case of petitions to organize a district shall be observed in the case of petitions for such inclusion or withdrawal. The committee shall prescribe the form for such petitions, which shall be as nearly as may be in the form prescribed in this act for petitions to organize a district. Where the total number of landowners in the area proposed for inclusion or withdrawal shall be less than 100, the petition may be filed when signed by two-thirds of the landowners and in such case no referendum need be held. In referenda upon petitions for such inclusion or withdrawal all landowners of land lying within the proposed additional area to be withdrawn shall be eligible to vote.

8. In any suit, action, or proceeding involving the validity or enforcement of, or relating to, any contract, proceeding, or dissolution of the district, the district shall be deemed to have been established in accordance with the provisions of this act upon proof of the issuance of the aforesaid certificate by the secretary of state. A copy of such certificate duly certified by the secretary of state shall be admissible in evidence in any such suit, action, or proceeding and shall be proof of the filing and contents thereof.

9. (a) Petitions for consolidating two or more districts may be filed with the state soil conservation committee by any 25 or more owners of land within the districts affected. In such event, all of the proceedings herein provided for in the case of petitions to organize a district shall be followed in so far as they are applicable. The committee shall prescribe the form for such petitions, which shall be as nearly as may be in the form prescribed in this act for petitions to organize a district.

(b) In the holding of the referendum for consolidation all owners of land within the affected districts shall be eligible to vote and unless a majority of the landowners, in each of the districts involved, votes in favor of the proposal, the districts shall not be consolidated.

(c) In case of consolidation of districts, the corporate existence, and terms of office of the officers, of the old districts shall expire upon issuance and recording by the secretary of state of a certificate of the due organization of the consolidated

district. Upon consolidation, all of the rights and liabilities of the several consolidating districts shall be vested in, and assumed by, the consolidated district.

Approved by the governor May 5, 1949.

Filed in the office of the secretary of state May 5, 1949.

## CHAPTER 569

### AN ACT

[H. B. 3531]

To amend section 26-2305, O. C. L. A., as amended by chapter 336, Oregon Laws 1947, relating to a state-wide adult probation and parole system.

*Be It Enacted by the People of the State of Oregon:*

Section 1. That section 26-2305, O. C. L. A., as amended by chapter 336, Oregon Laws 1947, be and the same hereby is amended so as to read as follows:

Sec. 26-2305. The state board of parole and probation shall have power to establish rules and regulations under which any prisoner, other than one under sentence of death, or one sentenced under section 2, chapter 585, Oregon Laws 1947, for the term of his natural life who now is or hereafter may be confined in any county jail for a period of six months or more, or the state penitentiary, may be allowed to go upon parole outside the institution, but to remain while on parole in the legal custody and under the control of the board and subject to being taken back into confinement at the discretion of the board, and the committing magistrate shall have power to establish rules and regulations under which any prisoner, who now is or hereafter may be confined in any county jail for any period under six months, may be allowed to go upon parole outside the county jail, but to remain while on parole in the legal custody and under the control of the court, and subject to being taken back into confinement at the discretion of the court; provided, however, that the committing magistrate shall have the power to parole to the state board of parole and probation any person now or hereafter sentenced to be confined in the county jail for a period of six months or more. No person serving a life sentence in the state penitentiary for murder in the first or second degree shall be eligible for release on parole until he shall have served at least seven years of such sentence.

Approved by the governor May 5, 1949.

Filed in the office of the secretary of state May 5, 1949.