

lines; but no new county shall be organized without the consent of the majority of the legal voters residing within the limits proposed to be formed into said new county; and whenever a new county shall be proposed to be formed out of portions of two or more counties, the consent of a majority of the legal voters of such part of each of said counties, respectively, shall be required; nor shall the lines of any county be changed without the consent of a majority of the legal voters residing within the district, which, under said proposed change, would form a part of a county different from that to which it belonged prior to said change; and no new county shall contain less than four hundred square miles, nor less than ten thousand white inhabitants; nor shall any change be made in the limits of any county, whereby the population of said county would be reduced to less than ten thousand white inhabitants, or its territory reduced to less than four hundred square miles.

Counties and cities are but political divisions of the state, and the legislature may itself levy needful taxes for local purposes, or it may delegate such power to the local authorities. The act of 1888, ch. 98, extending the limits of Baltimore city, held not to violate this section. The legislature may extend the limits of Baltimore city by including therein parts of Baltimore county with or without the consent of a majority of the voters residing within the districts annexed. *Daly v. Morgan*, 69 Md. 464 (*cf.* concurring and dissenting opinions); *McGraw v. Merryman*, 133 Md. 249 (upholding the validity of the act of 1918, ch. 82, extending the limits of Baltimore city).

Garrett county was organized under the act of 1872, ch. 212, passed in pursuance of this section. This section referred to in construing art. 3, sec. 29—see notes thereto. *State v. Fox*, 51 Md. 414.

The act of 1826, ch. 192, relating to mortgages in the city and county of Baltimore, held not to have been repealed by the adoption of the Constitution of 1851. *Eichelberger v. Hardesty*, 15 Md. 548.

This section referred to in discussing the constitutionality of the local option law of 1874, ch. 453. Relation of the counties to the state. *Fell v. State*, 42 Md. 100 (dissenting opinion).

The acts of 1838, ch. 205, and 1845, ch. 176, extending the time of notice of the filing of a mechanics lien claim, and the act of 1845, ch. 346, extending the first mentioned acts to Howard district, held under this section and art. 5 of the Declaration of Rights (as they stood in the Constitution of 1851) to have been extended to Howard county. *Pue v. Hetzell*, 16 Md. 539. And see *State v. Manly*, 1 Md. 139.

The act 1918, ch. 122, creating a sanitary district, or a special taxing district, within two counties, does not violate this section. *Dahler v. Wash. Sub. San. Comn.*, 133 Md. 647.

Sec. 2. At the election to be held for the adoption or rejection of this Constitution, in each election district, in those parts of Worcester and Somerset Counties, comprised within the following limits, viz: Beginning at the point where Mason and Dixon's line crosses the channel of Pocomoke River, thence following said line to the channel of the Nanticoke River, thence with the channel of said river to Tangier Sound, or the intersection of Nanticoke and Wicomico Rivers, thence up the channel of the Wicomico River to the mouth of Wicomico Creek, thence with the channel of said creek and Passerdye Creek to Dashiell's or Disharoon's Mills, thence with the mill pond of said mills and branch following the middle prong of said branch, to Meadow Bridge, on the road dividing the Counties of Somerset and Worcester, near the southwestern corner of farm of William P. Morris, thence due east to the Pocomoke River, thence with the channel of said river to the beginning; the Judges of Election, in each of said districts, shall receive the ballots of each elector, voting at said election, who has resided for six months preceding said election within said limits, for or against a new County; and the Return Judges of said election districts shall certify the result of such voting, in the manner now prescribed by Law, to the Governor, who shall by proclamation make known the same, and if a majority of the legal votes cast within that part of Worcester