

The methods governing the erection of counties subsequent to the American Revolution have been determined by the various constitutions.

The Constitution of 1776 contains no provision for the erection of new counties, it apparently being the consensus of the Convention that the work which they had already done in dividing Frederick County into three parts by the erection of Washington and Montgomery counties met all the requirements at that time. This first Constitution of the State remained in force until the adoption of the second Constitution in 1850. It was, however, very much modified by the Acts of 1836, Chapter 197, which changed in great measure the organic law of the State with respect to the election of governor and other matters. Although the Act grouped the counties into three gubernatorial districts and changed the representation of the towns, by including them in certain instances within the county, no change was made in the limits of the counties then existing and no general law was laid down as to the manner of erecting new counties.

The Constitution of 1850 devotes a special article to new counties in which it erects Howard District, which up to this time had been a part of Anne Arundel County, into Howard County, and provides for the erection of a new county with the limits now possessed by Garrett County whenever the territory so described should include a population of 10,000, and the majority of the electors should desire to separate and form such a new county. There is, however, no provision made for the formation of new counties in the future.

The Constitution of 1864 provided for the organization of new counties by vesting the power in the General Assembly. They were also empowered to move the county seat or change the county boundaries under certain limitations. At this time it was provided that no new county should contain less than 400 square miles or less than 10,000 white inhabitants, a provision which still remains in our Constitution of 1867. The second section of Article 10 in the Constitution of 1864 states: "The General Assembly shall provide by general law for dividing the counties into townships or permanent municipal corporations in place of the existing election districts, prescribing their limits and con-