

MARYLAND COUNTY AND STATE BOUNDARY REVIEW

BIBLIOGRAPHICAL ESSAY AND SELECTED BIBLIOGRAPHY

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This Bibliographical Essay and Selective Bibliography are supplements to the County Boundary Review. They are an attempt to provide references to the significant primary and secondary sources for the legal and historical evolution of Maryland state and county boundaries. Most, if not all of the sources cited can be found at the State Archives, Maryland's historical agency and permanent records repository. Located in Annapolis, The Maryland State Archives has state-of-the art storage and conservation facilities for paper, film and electronic records, as well as reference staff to assist researchers.

This listing of sources will aid the general reader and those who have an interest in following the historical and legal evolution of Maryland's state and county boundaries. Over time, county boundaries have been established by Acts of the General Assembly, by Orders in Council, by Governor's Proclamation, by Resolve of the Constitutional Convention of 1776, by Order of The Governor, by the Maryland Constitution of 1867 and in the case of Baltimore City, by the Convention of 1850. Today, new counties can only be created or county boundary lines changed by the General Assembly. The Constitution of 1867, Article XIII, Section 1 provided that the "...General Assembly may provide, by law, for organizing new counties, locating and removing county seats, and changing county lines..." While the emphasis of this bibliography is on county boundaries, it also contains significant primary and secondary sources for following the evolution of Maryland's state boundaries.

Maryland's original boundaries were described in its founding document, the Charter of Maryland, 1632. Originally, Maryland's boundaries, extended north to the fortieth parallel, east to the Delaware Bay, west and south to the farther bank of the Potomac River and south to Watkins Point. Over almost three centuries Maryland would lose significant parts of its territory. The State would lose the land between its current northern boundary and the fortieth parallel to Pennsylvania; to the east, the land now comprising Delaware; to the south, the southern part of Smith's Island and surrounding waters; and to the west, land along Maryland's boundary with West Virginia. In addition, Maryland would cede land along the Potomac River to the federal government for the creation of the nation's capital city. For a brief introduction and overview of Maryland's changing state boundaries see Carl N. Everstine, "The Potomac River and Maryland's Boundaries," MARYLAND HISTORICAL MAGAZINE 80, pp. 355- 370 (1985). There is a wealth of material on the Potomac River boundary found in an on-line Archives of Maryland publication: at <http://potomachistory.net>.

The surveying of the Maryland-District of Columbia boundary line is discussed in Silvio A. Bedini, "The Survey of the Federal Territory: Andrew Ellicott and Benjamin Banneker," *Washington History*, Vol. 3, No. 1, pp. 76-95 (Summer 1991). Ellicott's recorded accounts of his field work and data from his astronomical observations are at the National Museum of American History, Washington, D.C. See also NATIONAL CAPITAL PLANNING COMMISSION (Report) 1976, "Boundary Markers of the Nation's Capital," Summer, 1976 (Washington, D.C.: Superintendent of Documents, U. S. Government Printing Office, 1976).

For a fuller discussion of Maryland's boundary controversies, including the controversy with the Penns and the later surveying of the Mason-Dixon Line; see Edward B. Mathews, "The Maps and Map-Makers of Maryland," in Report of the Maryland Geological Survey, Vol. II, pp. 432 – 442 (Baltimore: Johns Hopkins University Press, 1898) and Edward C. Papenfuss and Joseph M. Coale, III, *The Maryland State Archives Atlas of Historical Maps of Maryland, 1608-1908*, pp. ix, 8 – 10, 17, 51 – 57, 65 -69, 199 - 212. (Baltimore: Johns Hopkins University Press, 1982, 2003).

The initial primary source listed under each county provides the legal basis which originally defined the county. However, most county boundaries were ill-defined at creation, relying on a very general description, rather than surveyed lines. For example, Charles County was, "...erected the Southside of Patuxent River beginning at the Sasquehannah Point extending it self from thence into the Middle of the Woods towards S^t Maries Southward, and from thence Westward along the middle of the Woods betwixt Patomeck and Patuxent Rivers as farr as Matapania towards the Head of Patuxent River and from thence againe Eastward along the River side to the said Sasquehannah Point..." A review of legislation over the last three centuries reveals attempts to more clearly define actual county boundaries. Much of this legislation involved adjustments to traditionally accepted boundary lines, re-establishing boundary lines or confirming boundary lines.

Using the indexes provided in Kilty's, *Laws of Maryland, 1691- 1818*, an attempt has been made to cite all of the laws concerning the creation of counties and changes in county boundaries up to 1818. The laws are cited under each county. After 1818, only the laws which created a county or Baltimore City or made significant changes in a county boundary are cited. There were many additional laws enacted that provided for making minor corrections to existing county boundary lines. The laws of Maryland as well as other primary documents are available on-line through the ARCHIVES OF MARYLAND. The ARCHIVES OF MARYLAND ON-LINE provides direct access to over 471,000 historical documents that form the constitutional, legal, legislative, judicial, and administrative basis of Maryland government and can be accessed through the Maryland State Archives website: mdsa.net.

There exists a large volume of case law on county boundary lines. There are several important cases cited, but no attempt has been made to conduct an exhaustive review of case law in this area. Probably the most important and dramatic court case was a 2008 Allegany County Circuit Court decision which declared the Chisholm Line, rather than the Bauer Line as the boundary line between Allegany and Garrett counties. The Court declared that the provisions of Chapter 708 of the Laws of 1955 violated the Maryland Constitution and is unconstitutional. The law stated, "...that the boundary line between Garrett County and Allegany County is declared to be the line as surveyed and described, together with the monuments set up in accord therewith by the so-called Bauer Report submitted to Governor Lloyd Lowndes on November 9, 1898, and recorded in the land records of Garrett County in Liber 36, folio 167..." For the legal evolution of the Allegany/Garrett boundary including references to appropriate laws and court decisions, see MARYLAND LAND OFFICE (Research File) "Annotated Chronology of Allegany/Garrett Boundary, 1872 -2008." (2009).

A 1976 Court of Appeals opinion provided an overview of some of the case law and legislation of the last three hundred years involving county boundaries, especially counties bounding on navigable water. See COURT OF APPEALS (Opinions) No. 90, September Term, 1975, Maryland Department of Natural Resources v. France, April 13, 1976 [MSA S393-369, MdHR 40,126-2, 01/66/07/15] which is also printed in Maryland Reports Vol. 277, pp. 432-471. The Court held that the boundary between two counties divided by a navigable river is the center of the channel of that river unless the boundary has been otherwise established by law. Of course, the state boundary line for counties bounding on the Potomac River is the south bank of the river at the Virginia shoreline; meaning that the Potomac lies entirely within the State of Maryland and within the respective county.

The Maryland State Archives has a substantial collection of primary sources dealing with state and county boundaries brought together in: MARYLAND PROVINCIAL PAPERS (Boundary Papers, North and East) 1720-1767 [MSA S52]; MARYLAND PROVINCIAL PAPERS (Boundary Papers, South and West) 1753 [MSA S51]; MARYLAND STATE PAPERS (Boundary Papers, North and East) 1849-1985 [MSA S988]; MARYLAND STATE PAPERS (Boundary Papers, South and West) 1795-1930 [MSA S59]; MARYLAND STATE PAPERS (Boundary Papers, South) 1868-1927 [MSA S57]; MARYLAND STATE PAPERS (Boundary Papers, West) 1857-1911 [MSA S58]; MARYLAND STATE PAPERS (Boundary Papers, Counties) 1823-1860 [MSA S56]; LAND OFFICE (Boundary Record) 1877-1917 [MSA S17]. These collections are indexed in MARYLAND INDEXES (Boundary Records, Index) [MSA S1474].

MARYLAND PROVINCIAL PAPERS (Boundary Papers, North and East) 1720-1767 [MSA S52] consist of papers pertaining to the northern and eastern boundaries of the province including letters, petitions, depositions, articles of agreements, proceedings of the commission to survey boundaries and commission to execute agreement, leases, surveyors' field notes and journals, Mason and Dixon astronomical observations and journals, and surveys and maps of boundary areas.

Two of the collections contain records for county boundaries: MARYLAND STATE PAPERS (Boundary Papers, Counties) 1823-1860 [MSA S56], which include executive records relating to borders between counties; documents for 1823 concern Anne Arundel and Calvert counties; documents for 1860 concern Dorchester and Somerset counties (Chapter 165, Acts of 1860), consists of accounts and receipts, correspondence, and reports, correspondents include governor and commissioners and LAND OFFICE (Boundary Record) 1877-1917 [MSA S17], which includes survey records of the Maryland/Virginia boundary; also contains surveys of Charles County boundary with Prince George's and Saint Mary's counties and records of the Allegany/Garrett county boundary; includes plats, bound with the Lighthouse Record series [MSA S13].

Of special interest for State boundaries are the Calvert Papers at the Maryland Historical Society. The Calvert Papers are a collection of approximately 1300 documents concerning the Calvert family and the colony of Maryland. The papers reflect both the private and public lives of members of the Calvert family and their relationship to Maryland throughout the colonial period. The papers contain a large volume of documents pertaining to the Maryland-Pennsylvania boundary dispute, 1680 to 1769 including proceedings of the various boundary commissions and Charles Mason and Jeremiah Dixon, "A Plan of the Boundary Lines Between the Province of Maryland and the Three Lower Counties on Delaware, 1768." The microfilm edition of the Calvert Papers is available at the Maryland State Archives [MSA M 142A, M165, M206, M207, M208]. Donna M. Ellis and Karen A. Stuart have compiled *The Calvert Papers: Calendar and Guide to the Microfilm Edition* (Baltimore: Maryland Historical Society, 1989).

The Maryland State Archives also has a substantial collection of nineteenth and twentieth century printed government reports on Maryland state and county boundaries. A notable report is MARYLAND BOARD OF NATURAL RESOURCES (Maryland-Pennsylvania and Maryland-Delaware Boundaries) 1959 Bulletin 4, 2nd ed. by William H. Bayliff. [MSA MdHR 786942] which provides an introduction to the survey history of Maryland's northern and eastern boundaries. The collection also contains county and municipal codes. The county codes, in some cases define the county boundaries and the municipal codes define the town boundaries and any annexations. In addition to codes, the published public local law volumes should be consulted for acts authorizing surveys or resurveys of county boundaries. Printed government reports maintained at the Maryland State Archives can be accessed through the State Archives' web site: mdsa.net.

Any study of the evolution of Maryland state and county boundaries must include reference to mapping. The standard reference for Maryland state and county maps is Edward C. Papenfuse and Joseph Coale, III, *The Maryland State Archives Atlas of Historical Maps of Maryland, 1608-1908*. (Baltimore: Johns Hopkins University Press, 1982, 2003). This work provides an introduction to the development of Maryland mapping from the earliest English settlements to the early twentieth century. There is an extensive section of nineteenth century county maps. The work also discusses the boundary controversies which give Maryland its distinctive shape. The "Notes" section provides a comprehensive survey of the sources of Maryland mapping and map makers.

The standard work on the evolution of Maryland counties is Edward B. Mathews, *The Counties of Maryland: Their Origin, Boundaries and Election Districts*. (Baltimore: Johns Hopkins University Press, 1906). For an introduction to Maryland mapping, a reader should consult Edward B. Mathews, "The Maps and Map-Makers of Maryland," [in Report of the Maryland Geological Survey, Vol. II, 1898] (Baltimore: Johns Hopkins University Press, 1898).

The selected bibliography of secondary sources below should be supplemented with the comprehensive bibliographies found in Robert J. Brugger, *Maryland: The Middle Temperament, 1634-1980* (Baltimore: Johns Hopkins University Press, 1988) and in Richard Walsh and William Lloyd Fox, eds., *Maryland: A History*. (Annapolis: Hall of Records Commission, 1983). Other notable sources include two recent works that should prove useful for an understanding the evolution of county boundaries: John H. Long, editor, "Maryland Individual County Chronologies." (Chicago: Newberry Library, 2008) and John H. Long, editor, "Maryland: Consolidated Chronology of State and County Boundaries." (Chicago: Newberry Library, 2008). The reader is also encouraged to check the indexes to the MARYLAND HISTORICAL MAGAZINE for appropriate articles on Maryland's state and county boundary controversies available at the Maryland Historical Society and the Maryland State Archives.

In some cases, the surveys and plats of county boundaries have been recorded in the land records and plats records of the county. Two recent on-line systems have been developed by the Maryland Judiciary, the Circuit Court Clerks of Maryland and the Maryland State Archives to provide up to date access to all verified land record instruments in Maryland and access to recorded plats. The system for land records is *mdlandrec.net* and is currently being provided at no charge to individuals who apply for a user name and password. There are indexes for each county to help the researcher locate the recorded survey and plat.

The other system is *plats.net*, also developed by the Judiciary, the Courts and the Maryland State Archives to preserve and make accessible all plats filed with the Land Office and the Circuit Courts of Maryland. Plats.net is also currently being provided at no charge to individuals who apply for a user name and password. Users are encouraged to provide feedback and inform the Maryland State Archives of any problems encountered in the use of these two systems.

Primary Sources I: Legal Creation and Legal Evolution of Counties and Baltimore City

Allegheny County (1789)

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1789, Chapter 45, An Act) 1789, Chapter 29, An Act for the division of Washington County, and for erecting a new one by the name of Allegheny.

CONSTITUTIONAL CONVENTION OF 1850 (Constitution) 1851, Article VIII, New Counties, Sec. 2. When that part of Allegheny county, lying south and west of a line beginning at the summit of Big Back Bone or Savage Mountain, where that mountain is crossed by Mason and Dixon's line, and running thence by a straight line to the middle of Savage river, where it empties into the Potomac river...shall contain a population of ten thousand, and the majority of electors thereof shall desire to separate and form a new county...

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1872, Chapter 212, An Act to provide for taking the vote of the people for or against a new county in certain election districts in Allegheny county at the election to be held in the fall of eighteen hundred and seventy-two (creation of Garrett County).

MARYLAND LAND OFFICE (Boundary Record) 1877-1917 [MSA S17]. Survey records of the Maryland/Virginia boundary. Also contains surveys of Charles County boundary with Prince George's and Saint Mary's counties and records of the Allegheny/Garrett county boundary. Includes plats. Bound with the Lighthouse Record series [MSA S13]. Indexed. Indexed in MARYLAND INDEXES Boundary Records, Index [MSA S1474].

MARYLAND GEOLOGICAL SURVEY (Survey Report) 1898, Preliminary report on the Survey of the Boundary-Line Between Allegheny and Garrett Counties. L. A. Bauer, Party. Scan of manuscript copy available in mdlandrec.net under ALLEGANY COUNTY CIRCUIT COURT (Land Records) 88, pp. 1 - . SEE ALSO: final report published in Maryland Geological Survey vol. 5, pt. 2, MdHR 789488. Report also published separately in 1903. [MSA MdHR 789570]

ALLEGANY COUNTY CIRCUIT COURT (Boundary Record) 1898 [MSA C2355] Report, including maps, on the survey of the boundary between Allegany and Garrett counties. The survey and plat, done when Garrett was formed in 1872, were never filed with the governor or the circuit courts. The resulting uncertainty about the boundary was remedied by an act passed in 1898 (Ch. 304), that provided for a new survey, but postponed payment until the survey report was filed with the County Clerks, Land Office, and Governor. Allegany County recorded its copy, a handwritten transcript, in one of the land record volumes. Also available on film in series CM80. A printed copy appears in Government Publications in series E15011, MdHR 789570.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1955, Chapter 708, An Act to provide for the definite establishment of the line to be observed as the boundary line between the counties of Garrett and Allegany. Be it enacted by the General Assembly of Maryland, That the boundary line between Garrett County and Allegany County is declared to be the line as surveyed and described, together with the monuments set up in accord therewith by the so-called Bauer Report submitted to Governor Lloyd Lowndes on November 9, 1898, and recorded in the land records of Garrett County in Liber 36, folio 167. All officials of the State of Maryland and of any political sub-division thereof shall henceforth treat this boundary line as the proper and correct boundary line between Garrett and Allegany Counties. In 2008, the Allegany County Circuit Court declared that the provisions of this act violated the Maryland Constitution and are unconstitutional. Further, the court declared that the boundary line dividing Garrett and Allegany Counties is as described in the report of Daniel Chisholm, dated October 8, 1872, as a line beginning in the middle of the Savage River where it empties into the Potomac River, and running thence North 26° East, 18.5 miles to a point on the top of Savage Mountain where said Mountain is crossed by the Mason-Dixon Line.[the so-called Chisholm Line].

MARYLAND DEPARTMENT OF NATURAL RESOURCES, MARYLAND GEOLOGICAL SURVEY (Map, Topographic) 1978, Allegany County, Limited Revisions: Election District Boundaries and Designations, 1978 [MSA MdHR 201008311

ALLEGANY COUNTY CIRCUIT COURT (Civil Papers) No. 01-C-07-028940-L, Board of County Commissioners of Garrett County, Maryland v. Board of County Commissioners of Allegany County, Maryland, 2008. Declared that the provisions of Chapter 708 of the Laws of 1955 violated the Maryland Constitution and are unconstitutional. Further, the court declared that the boundary line dividing Garrett and Allegany Counties is as described in the report of Daniel Chisholm, dated October 8, 1872, as a line beginning in the middle of the Savage River where it empties into the Potomac River, and running thence North 26° East, 18.5 miles to a point on the top of Savage Mountain where said Mountain is crossed by the Mason-Dixon Line.[the so-called Chisholm Line].

MARYLAND LAND OFFICE (Research File) Annotated Chronology of Allegany/Garrett Boundary, 1872 -2008 (2009). Outlines the survey history and legal evolution of the Allegany/Garrett boundary including references to appropriate laws and court decisions.

Anne Arundel (1650)

ARCHIVES OF MARYLAND (Proceedings and Acts of the General Assembly) Vol. 1, 1650, Chapter 7, p. 292. An Act for the erecting of Providence into a County by the name of Annarundell County.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1698, Chapter 13, An Act ascertaining the bounds and limits of Anne-Arundel and Baltimore counties.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1726, Chapter 1, An Act for uniting part of Baltimore county to Anne-Arundel county.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1777, Chapter 7, An Act to ascertain and establish a divisional line between Anne-Arundel and Calvert counties.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1823, Chapter 183, An act to establish the Divisional Lines between Anne Arundel and Calvert Counties.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1824, Chapter 193, A supplement to the act entitled, An act to establish the divisional lines between Anne Arundel and Calvert Counties

MARYLAND STATE PAPERS (Boundary Papers, Counties) 1823-1860 [MSA S56]. Executive records relating to borders between counties. Documents for 1823 concern Anne Arundel and Calvert counties. Documents for 1860 concern Dorchester and Somerset counties (Chapter 165, Acts of 1860). Consists of accounts and receipts, correspondence, and reports. Correspondents include governor and commissioners. Arranged chronologically. Indexed in MARYLAND INDEXES Boundary Records, Index [MSA S1474].

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1838, Chapter 22, An Act for the establishment of a municipal jurisdiction over a part of Anne Arundel County, and to alter and change the Constitution of this State, as far as may be necessary to effect the same. Section 1. Be it enacted by the General Assembly of Maryland. That after the confirmation of this act, there shall be established in Anne Arundel County, a district included within the following boundaries, to wit: beginning for the same at the intersection of the west shore of Deep Run with the southern shore of the Patapsco River, at or near Ellicott's Furnance...said district to be called Howard District of Anne Arundel County.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1918, Chapter 82, An Act to extend the limits of Baltimore City by including parts of Baltimore County and Anne Arundel County.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1984, Chapter 715, An Act concerning Anne Arundel County and Calvert County–Boundary. For the purpose of altering the boundary line between Anne Arundel County and Calvert County to provide that a certain portion of Anne Arundel County is a part of Calvert County. Section [2] 3. AND BE IT FURTHER ENACTED, That the Board of Supervisors of Elections for Anne Arundel County shall take the appropriate steps to determine the number of legally qualified voters if any, who reside in that part of Anne Arundel County affected by this Act, and provide for a referendum of those voters. The referendum shall be held at the General Election of November, [1982] 1984. The referendum passed 4 - 0. The General Election returns for 1984 were certified by the Administrator. [See STATE BOARD OF ELECTIONS (Election Papers) 1984, Proclamations MSA T262-29]

Baltimore City (1851)

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1729-1830. A compilation of acts of the General Assembly relating to the boundaries, police and regulations of the town and city of Baltimore.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1796, Chapter 68, An Act to erect Baltimore-town, in Baltimore county, into a city, and to incorporate the inhabitants thereof. Baltimore City remained a part of Baltimore County until 1851.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1849, Chapter 540, An Act to provide for taking the sense of the people of Baltimore County, on the propriety of separating said County from the City of Baltimore.

CONSTITUTION OF 1850, several articles of the Constitution provided for the separation of Baltimore City from Baltimore County. [see ARCHIVES OF MARYLAND, Vol. 101, Proceedings and Debates of the 1850 Constitutional Convention]

BALTIMORE CITY BUREAU OF ENGINEERING SURVEYS AND RECORDS DIVISION (Survey) Metes and Bounds Survey of Baltimore City, 1816-1918 [1970] [from A Guide to Research and Writing About the History of Baltimore City (<http://baltimorecityhistory.net>).]

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1888, Chapter 98, An Act to extend the limits of Baltimore city by including therein parts of Baltimore county.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1918, Chapter 82, An Act to extend the limits of Baltimore City by including parts of Baltimore County and Anne Arundel County.

MARYLAND GEOLOGICAL SURVEY (Maps) Map of Baltimore City Showing Original Shore Lines and Drainage, 1935.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1983, Chapter 469, An Act concerning Baltimore City and Baltimore County Boundary – FOR the purpose of altering the boundary line between Baltimore City and Baltimore County to provide that a certain portion of Baltimore City becomes part of Baltimore County... AND BE IT FURTHER ENACTED, That before this Act becomes effective, it shall first be submitted to a referendum of the legally qualified voters who reside in that part of Baltimore City affected by this Act. The referendum shall be held at the general election in November, 1984. The referendum passed 4 - 0. The General Election returns for 1984 were certified by the Administrator. [See STATE BOARD OF ELECTIONS (Election Papers) 1984, Proclamations MSA T262-29]

Baltimore County (by 1659/1660)

The legal origin of Baltimore County is not known, but it was in existence by January 12, 1659/60 when a writ was issued to the sheriff of the county.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1698, Chapter 13, An Act afcertaining the bounds and limits of Anne-Arundel and Baltimore counties.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1726, Chapter 1, An Act for uniting part of Baltimore county to Anne-Arundel county.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1796, Chapter 68, An Act to erect Baltimore-town, in Baltimore county, into a city, and to incorporate the inhabitants thereof. Baltimore City remained a part of Baltimore County until 1851.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1849, Chapter 540, An Act to provide for taking the sense of the people of Baltimore County, on the propriety of separating said County from the City of Baltimore.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1750, Chapter 13, An Act to settle the divisions between Frederick and Baltimore counties and also between Dorchester and Worcester counties.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1773, Chapter 6, An Act for the division of Baltimore County, and for erecting a new one by the name of Harford.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1835, Chapter 256, An Act for the division of Baltimore and Frederick Counties, and for the erecting of a new one by the name of Carroll.

CONSTITUTION OF 1850, several articles of the Constitution provided for the separation of Baltimore City from Baltimore County. [See ARCHIVES OF MARYLAND, Vol. 101, Proceedings and Debates of the 1850 Constitutional Convention]

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1888, Chapter 98, An Act to extend the limits of Baltimore city by including therein parts of Baltimore county.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1918, Chapter 82, An Act to extend the limits of Baltimore City by including parts of Baltimore County and Anne Arundel County.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1983, Chapter 469, An Act concerning Baltimore City and Baltimore County Boundary – FOR the purpose of altering the boundary line between Baltimore City and Baltimore County to provide that a certain portion of Baltimore City becomes part of Baltimore County... AND BE IT FURTHER ENACTED, That before this Act becomes effective, it shall first be submitted to a referendum of the legally qualified voters who reside in that part of Baltimore City affected by this Act. The referendum shall be held at the general election in November, 1984. The referendum passed 4 - 0. The General Election returns for 1984 were certified by the Administrator. [See STATE BOARD OF ELECTIONS (Election Papers)1984, Proclamations MSA T262-29]

Calvert County (1654)

GOVERNOR AND COUNCIL (Proceedings) 1636-1667, "...[July 3, 1654] And instead thereof doth now erect make and appoint both sides of Patuxent River into one county by the name Calvert County..." [See Archives of Maryland, Vol. 3, p. 308]

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1777, Chapter 7, An Act to ascertain and establish a divisional line between Anne-Arundel and Calvert counties.

MARYLAND STATE PAPERS (Boundary Papers, Counties) 1823-1860 [MSA S56]. Executive records relating to borders between counties. Documents for 1823 concern Anne Arundel and Calvert counties. Documents for 1860 concern Dorchester and Somerset counties (Chapter 165, Acts of 1860). Consists of accounts and receipts, correspondence, and reports. Correspondents include governor and commissioners. Arranged chronologically. Indexed in MARYLAND INDEXES Boundary Records, Index [MSA S1474].

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1823, Chapter 183, An act to establish the Divisional Lines between Anne Arundel and Calvert Counties.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1824, Chapter 193, A supplement to the act entitled, An act to establish the divisional lines between Anne Arundel and Calvert Counties

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1984, Chapter 715, An Act concerning Anne Arundel County and Calvert County–Boundary. For the purpose of altering the boundary line between Anne Arundel County and Calvert County to provide that a certain portion of Anne Arundel County is a part of Calvert County. Section [2] 3. AND BE IT FURTHER ENACTED, That the Board of Supervisors of Elections for Anne Arundel County shall take the appropriate steps to determine the number of legally qualified voters if any, who reside in that part of Anne Arundel County affected by this Act, and provide for a referendum of those voters. The referendum shall be held at the General Election of November, [1982] 1984. The referendum passed 4 - 0. The General Election returns for 1984 were certified by the Administrator. [See STATE BOARD OF ELECTIONS (Election Papers) 1984, Proclamations MSA T262-29]

Caroline County (1773)

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1773, Chapter 10, An Act for the Division of Dorchester and Queen Anns Counties and for erecting a new one by the Name of Caroline.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1792, Chapter 19, An Act to empower and authorise certain commiffioners of Dorchefter and Caroline counties to open a main road, and change the old road, which was formerly the divifion of the iaid counties, at the North-Weft Fork bridge, and the fame, when fo changed, to be the divifion of the faid counties.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1878, Chapter 393, An Act to...enclose a certain portion of the present public road dividing Dorchester and Caroline counties, and to straighten the boundary line between said counties.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1878 Chapter 81, An Act for changing part of the divisional line between Dorchester and Caroline counties.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1880, Chapter 208, An Act to change the boundary line and transfer certain territory and population from Dorchester to Caroline county.

Carroll County (1837)

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1835, Chapter 256, An Act for the division of Baltimore and Frederick Counties, and for the erecting of a new one by the name of Carroll.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1836-1837, Chapter 19, An Act to confirm an act, entitled, an act for the division of Baltimore and Frederick counties, and for erecting a new one by the name of Carroll.

Cecil County (1674)

GOVERNOR AND COUNCIL (Proceedings) 1671-1686 [MSA S1071-7] Cecil County was erected in 1674 from Baltimore and Kent counties by proclamation of the Governor. "Proclamation By his Excellency the Capt Generall of Maryland. To all the Inhabitants of the said Province or Others whom these may concerne Charles Calvert Esqr Capt Generall of the said Province sendeth Greeting Know yee That whereas severall persons are already seated within the limitations hereafter mentioned and aswell for the preservation of the peace in that part of the province as for the ease and benefitt of the Inhabitants there or which shall hereafter inhabite there I doe hereby declare & publish that from the mouth of the Susquehanough River and so downe the easterne side of Chesepeake Bay to Swan point and from thence to Hell point and so up Chester River to the head thereof is hereby erected into a County and called by the name of Cecill County. [See Archives of Maryland, Vol. 15, p. 39].

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1706, Chapter 3, An Act for the dividing and regulating Severall Counties on the easterne shore of this Province and Constituting a County by the name of Queen Anns County within the same Province. In addition to creating Queen Anne's County, this act describes the bounds of Talbot County, Cecil County and Kent County.

Charles County (1658)

GOVERNOR AND COUNCIL (Proceedings) 1656-1669 [MSA S1071-5]. Charles County was created in 1658 by an Order in Council. It is not to be confused with an earlier Charles County (1650-1653) known as Old Charles County. "The Governor this day with the advise of the Counsell erected the Southside of Patuxent River beginning at the Sasquehannah Point extending it self from thence into the Middle of the Woods towards S^t Maries Southward, and from thence Westward along the middle of the Woods

betwixt Patomeck and Patuxent Rivers as farr as Matapania towards the Head of Patuxent River and from thence againe Eastward along the River side to the said Sasquehannah Point, into a County by the name of Charles County, and Robert Brookes Esq^r to bee Commander thereof.” [See Archives of Maryland, Vol. 3, pp. 259-260]

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1695, Chapter 13, An Act for the Division and Regulateing Severall Countys within this province and Constituteing a County by the name of Prince Georges County within the Same.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1748, Chapter 14, An Act for taking off part of Prince-Georges county, and adding it to Charles county.

MARYLAND LAND OFFICE (Boundary Record) 1877-1917 [MSA S17]. Survey records of the Maryland/Virginia boundary. Also contains surveys of Charles County boundary with Prince George's and Saint Mary's counties and records of the Allegany/Garrett county boundary. Includes plats. Bound with the Lighthouse Record series [MSA S13]. Indexed. Indexed in MARYLAND INDEXES Boundary Records, Index [MSA S1474].

Dorchester County (by 1668/1669)

The exact date and legal origin of Dorchester County are unknown, but it was in existence by February 16, 1668/69, when a writ was issued to the county sheriff by the Lord Proprietary.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1750, Chapter 13, An Act to settle the divisions between Frederick and Baltimore counties and also between Dorchester and Worcester counties.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1773, Chapter 10, An Act for the Division of Dorchester and Queen Anns Counties and for erecting a new one by the Name of Caroline.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1792, Chapter 19, An Act to empower and authorise certain commiffioners of Dorchefter and Caroline counties to open a main road, and change the old road, which was formerly the divifion of the iaid counties, at the North-Weft Fork bridge, and the fame, when fo changed, to be the divifion of the faid counties.

MARYLAND STATE PAPERS (Boundary Papers, Counties) 1823-1860 [MSA S56]. Executive records relating to borders between counties. Documents for 1823 concern Anne Arundel and Calvert counties. Documents for 1860 concern Dorchester and Somerset counties (Chapter 165, Acts of 1860). Consists of accounts and receipts, correspondence, and reports. Correspondents include governor and commissioners. Arranged chronologically. Indexed in MARYLAND INDEXES Boundary Records, Index [MSA S1474].

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1825, Chapter 81, An Act for changing part of the divisional line between Dorchester and Caroline counties.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1878, Chapter 393, An Act to...enclose a certain portion of the present public road dividing Dorchester and Caroline counties, and to straighten the boundary line between said counties.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1880, Chapter 208, An Act to change the boundary line and transfer certain territory and population from Dorchester to Caroline county.

Frederick County (1748)

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1748, Chapter 15, An Act to divide Prince George's County, and to erect a new one by the name of Frederick County.
MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1750, Chapter 13, An Act to settle the divisions between Frederick and Baltimore counties and also between Dorchester and Worcester counties.

FREDRICK COUNTY COURT (Land Records) JS31, pp. 509-511, Commissioners to Establish Line Between Washington and Fredrick Counties, May 20, 1824 [MSA C814, MdHR 40,341-71].

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1835, Chapter 256, An Act for the division of Baltimore and Frederick Counties, and for the erecting of a new one by the name of Carroll.

MARYLAND DEPARTMENT OF NATURAL RESOURCES, MARYLAND GEOLOGICAL SURVEY (Map, Topographic) 1974, Frederick County, Limited

Revisions: Election District Boundaries and Designations, 1974[MSA MdHR 201008320]

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1979, House Joint Resolution No. 27, For the purpose of requesting the Secretary of Natural Resources to direct the Maryland Geological Survey to resurvey and remark certain segments of the boundary separating Montgomery County from Frederick and Howard Counties.

MARYLAND DEPARTMENT OF NATURAL RESOURCES, MARYLAND GEOLOGICAL SURVEY (Special Publication no. 1) 1985, Frederick-Montgomery-Howard County Boundary Line Resurvey of 1980 [MSA MdHR 852448]

Garrett County (1872)

CONSTITUTIONAL CONVENTION OF 1850 (Constitution) 1851, Article VIII, New Counties, Sec. 2. When that part of Allegany county, lying south and west of a line beginning at the summit of Big Back Bone or Savage Mountain, where that mountain is crossed by Mason and Dixon's line, and running thence by a straight line to the middle of Savage river, where it empties into the Potomac river...shall contain a population of ten thousand, and the majority of electors thereof shall desire to separate and form a new county...

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1872, Chapter 212, An Act to provide for taking the vote of the people for or against a new county in certain election districts in Allegany county at the election to be held in the fall of eighteen hundred and seventy-two.

MARYLAND LAND OFFICE (Boundary Record) 1877-1917 [MSA S17]. Survey records of the Maryland/Virginia boundary. Also contains surveys of Charles County boundary with Prince George's and Saint Mary's counties and records of the Allegany/Garrett county boundary. Includes plats. Bound with the Lighthouse Record series [MSA S13]. Indexed. Indexed in MARYLAND INDEXES Boundary Records, Index [MSA S1474].

MARYLAND GEOLOGICAL SURVEY (Survey Report) 1898, Preliminary report on the Survey of the Boundary-Line Between Allegany and Garrett Counties. L. A. Bauer, Party. Scan of manuscript copy available in mdlandrec.net under ALLEGANY COUNTY CIRCUIT COURT (Land Records) 88, pp. 1 - . SEE ALSO: final report published in Maryland Geological Survey vol. 5, pt. 2, MdHR 789488. Report also published separately in 1903. [MSA MdHR 789570]

ALLEGANY COUNTY CIRCUIT COURT (Boundary Record) 1898 [MSA C2355] Report, including maps, on the survey of the boundary between Allegany and Garrett counties. The survey and plat, done when Garrett was formed in 1872, were never filed with the governor or the circuit courts. The resulting uncertainty about the boundary was remedied by an act passed in 1898 (Ch. 304), that provided for a new survey, but postponed payment until the survey report was filed with the County Clerks, Land Office, and Governor. Allegany County recorded its copy, a handwritten transcript, in one of the land record volumes. Also available on film in series CM80. A printed copy appears in Government Publications in series E15011, MdHR 789570.

GARRETT COUNTY CIRCUIT COURT (Boundary Maps) 1911-1914 [MSA C2480] Map showing the boundary between Maryland and West Virginia, produced as a result of the U.S. Supreme Court case of State of Maryland vs. State of West Virginia in 1911. The copy filed with the circuit court of Garrett County was annotated in 1914 by one of the commissioners appointed by the court to conduct the survey.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1955, Chapter 708, An Act to provide for the definite establishment of the line to be observed as the boundary line between the counties of Garrett and Allegany. Be it enacted by the General Assembly of Maryland, That the boundary line between Garrett County and Allegany County is declared to be the line as surveyed and described, together with the monuments set up in accord therewith by the so-called Bauer Report submitted to Governor Lloyd Lowndes on November 9, 1898, and recorded in the land records of Garrett County in Liber 36, folio 167. All officials of the State of Maryland and of any political sub-division thereof shall henceforth treat this boundary line as the proper and correct boundary line between Garrett and Allegany Counties. In 2008, the Allegany County Circuit Court declared that the provisions of this act violated the Maryland Constitution and are unconstitutional. Further, the court declared that the boundary line dividing Garrett and Allegany Counties is as described in the report of Daniel Chisholm, dated October 8, 1872, as a line beginning in the middle of the Savage River where it empties into the Potomac River, and running thence North 26° East, 18.5 miles to a point on the top of Savage Mountain where said Mountain is crossed by the Mason-Dixon Line.[the so-called Chisholm Line].

ALLEGANY COUNTY CIRCUIT COURT (Civil Papers) No. 01-C-07-028940-L, Board of County Commissioners of Garrett County, Maryland v. Board of County Commissioners of Allegany County, Maryland, 2008. Declared that the provisions of Chapter 708 of the Laws of 1955 violated the Maryland Constitution and are unconstitutional. Further, the court declared that the boundary line dividing Garrett and Allegany Counties is as described in the report of Daniel Chisholm, dated October 8, 1872, as a line beginning in the middle of the Savage River where it empties into the Potomac River, and running thence North 26° East, 18.5 miles to a point on the top of Savage Mountain where said Mountain is crossed by the Mason-Dixon Line.[the so-called Chisholm Line].

MARYLAND LAND OFFICE (Research File) Annotated Chronology of Allegany/Garrett Boundary, 1872 -2008 (2009). Outlines the survey history and legal evolution of the Allegany/Garrett boundary including references to appropriate laws and court decisions.

Harford County (1773)

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1773, Chapter 6, An Act for the division of Baltimore County, and for erecting a new one by the name of Harford.

Howard County (1838, 1839, 1851)

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1838, Chapter 22, An Act for the establishment of a municipal jurisdiction over a part of Anne Arundel County, and to alter and change the Constitution of this State, as far as may be necessary to effect the same. Sec. 1. Be it enacted by the General Assembly of Maryland. That after the confirmation of this act, there shall be established in Anne Arundel County, a district included within the following boundaries, to wit: beginning for the same at the intersection of the west shore of Deep Run with the southern shore of the Patapsco River, at or near Ellicott's Furnance...said district to be called Howard District of Anne Arundel County.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1839, Chapter 98, An act to regulate the Municipal Government of Howard District of Anne Arundel County.

CONSTITUTIONAL CONVENTION OF 1850 (Constitution) 1851, Article VIII, New Counties, Section I. That part of Anne Arundel county called Howard District, is hereby created into a new county, to be called Howard county.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1979, House Joint Resolution No. 27, For the purpose of requesting the Secretary of Natural Resources to direct the Maryland Geological Survey to resurvey and remark certain segments of the boundary separating Montgomery County from Frederick and Howard Counties.

MARYLAND DEPARTMENT OF NATURAL RESOURCES, MARYLAND GEOLOGICAL SURVEY (Special Publication no. 1) 1985, Frederick-Montgomery-Howard County Boundary Line Resurvey of 1980 [MSA MdHR 852448]

Kent County (by 1642)

ARCHIVES OF MARYLAND (Proceedings of the Council of Maryland) 1636-1647, Vol. 3, p.105, Kent was first mentioned as a county in 1642, when the Governor and Council appointed commissioners for the Isle and County of Kent. “Cecilius &c To our Trusty Councillor Giles Brent Esq Commander of our Isle of Kent Greeting We doe hereby appoint and authorise you to Administer an Oath to M^r William Luddington and M^r Richard Thomson Gent ...”

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1695, Chapter 13, An Act for the Division and Regulateing Severall Countys within this province and Constituteing a County by the name of Prince Georges County within the Same.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1706, Chapter 3, An Act for the dividing and regulating Severall Counties on the easterne shore of this Province and Constituting a County by the name of Queen Anns County within the same Province. In addition to creating Queen Anne’s County, this act describes the bounds of Talbot County, Cecil County and Kent County.

Montgomery County (1776)

ARCHIVES OF MARYLAND (Proceedings of the Conventions of the Province of Maryland) 1774-1776, Vol. 78, p. 242. Created from Frederick County by resolve of the Constitutional Convention of 1776. "Resolved, That after the first day of October next, such part of the said county of Frederick as is contained within the bounds and limits following, to wit: beginning at the east side of the mouth of Rock creek on Potowmac river, and running with the said river to the mouth of Monocacy, then with a straight line to Par's spring, from thence with the lines of the county to the beginning, shall be and is hereby erected into a new county by the name of Montgomery county."

MONTGOMERY COUNTY (Montgomery-Prince George's County Line Surveyor's Report) 1963. [MSA MdHR 820465]

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1968, Chapter 725, An Act to add a new Section to the Code of Public Local Laws of Prince George's County (1963 Edition and 1967 Supplement), being also Article 17 of the Code of Public Local Laws of Maryland, title "Prince George's County," subtitle "Boundaries" to be known as Section 4-6 and to follow immediately after Section 4-5, and adding a new section to the Montgomery County Code, 1965, being also Article 16 of the Code of Public Local Laws of Maryland, title "Montgomery County," subtitle "Part 2. General Local Laws," subheaded "Chapter 1. General Provisions," to be known as Section 1-19 and to follow immediately after Section 1-18, to provide for the classification of and provide for the establishment of, the boundary line between Prince George's County and Montgomery County.

MONTGOMERY COUNTY, DEPARTMENT OF TRANSPORTATION
(Prince George's-Montgomery County Boundary Monumentation) 1974 [MSA MdHR 820516]

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1979, House Joint Resolution No. 27, For the purpose of requesting the Secretary of Natural Resources to direct the Maryland Geological Survey to resurvey and remark certain segments of the boundary separating Montgomery County from Frederick and Howard Counties.

MARYLAND DEPARTMENT OF NATURAL RESOURCES, MARYLAND GEOLOGICAL SURVEY (Special Publication no. 1) 1985, Frederick-Montgomery-Howard County Boundary Line Resurvey of 1980 [MSA MdHR 852448]

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1990, Chapter 624, An Act concerning Montgomery County and Prince George's County–Boundary. For the purpose of altering the boundary line between Montgomery County and Prince George's County to provide that a certain portion of Montgomery County is a part of Prince George's County. Section 2 3. AND BE IT FURTHER ENACTED, That the Board of Supervisors of Elections for Montgomery County shall take the appropriate steps to determine the number of legally qualified voters, if any, who reside in that part of Montgomery County affected by this Act, and provide for a referendum of those voters. The referendum shall be held at the General Election of November, 1990. The referendum passed 4 – 0 and the vote certified by the Board of Canvassers for Montgomery County on November 19, 1990. [See STATE BOARD OF ELECTIONS (Election Returns)1990, MSA T894, 01/08/04/29].]

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1994, Chapter 636, An Act concerning Montgomery County and Prince George's County–City of Takoma Park. For the purpose of providing for the alteration of the boundary line between Montgomery County and Prince George's County to provide that the City of Takoma Park be entirely within Montgomery County or Prince George's County under certain circumstances, to provide that this Act is subject to a referendum of certain voters... Referendum approved and Act began effective.

PRINCE GEORGE'S COUNTY (Montgomery-Prince George's County Line Report)n.d. [MSA MdHR 820650a]

Prince George's County (1695)

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1695, Chapter 13, An Act for the Division and Regulateing Severall Countys within this province and Constitueing a County by the name of Prince Georges County within the Same.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1704, Chapter 92, An Act for declaring the division of several counties within this province, made by virtue of a former act, entitled, An Act for the Division and Regulateing Severall Countys within this province and Constitueing a County by the name of Prince Georges County within the Same... [See Archives of Maryland, Vol. 26, pp. 428 – 429].

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1748, Chapter 14, An Act for taking off part of Prince-Georges county, and adding it to Charles county.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1748, Chapter15, An Act to divide Prince George's County, and to erect a new one by the name of Frederick County.

MARYLAND LAND OFFICE (Boundary Record) 1877-1917 [MSA S17]. Survey records of the Maryland/Virginia boundary. Also contains surveys of Charles County boundary with Prince George's and Saint Mary's counties and records of the Allegany/Garrett county boundary. Includes plats. Bound with the Lighthouse Record series [MSA S13]. Indexed. Indexed in MARYLAND INDEXES Boundary Records, Index [MSA S1474].

MONTGOMERY COUNTY (Montgomery-Prince George's County Line Surveyor's Report) 1963. [MSA MdHR 820465]

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1968, Chapter 725, An Act to add a new Section to the Code of Public Local Laws of Prince George's County (1963 Edition and 1967 Supplement), being also Article 17 of the Code of Public Local Laws of Maryland, title "Prince George's County," subtitle "Boundaries" to be known as Section 4-6 and to follow immediately after Section 4-5, and adding a new section to the Montgomery County Code, 1965, being also Article 16 of the Code of Public Local Laws of Maryland, title "Montgomery County," subtitle "Part 2. General Local Laws," subheaded "Chapter 1. General Provisions," to be known as Section 1-19 and to follow immediately after Section 1-18, to provide for the classification of and provide for the establishment of, the boundary line between Prince George's County and Montgomery County.

MONTGOMERY COUNTY, DEPARTMENT OF TRANSPORTATION
(Prince George's-Montgomery County Boundary Monumentation) 1974 [MSA MdHR 820516]

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1990, Chapter 624, An Act concerning Montgomery County and Prince George's County–Boundary. For the purpose of altering the boundary line between Montgomery County and Prince George's County to provide that a certain portion of Montgomery County is a part of Prince George's County. Section 2 3. AND BE IT FURTHER ENACTED, That the Board of Supervisors of Elections for Montgomery County shall take the appropriate steps to determine the number of legally qualified ~~voters~~ voters, if any, who reside in that part of Montgomery County affected by this Act, and provide for a referendum of those voters. The referendum shall be held at the General Election of November, 1990. The referendum passed 4 – 0 and the vote certified by the Board of Canvassers for Montgomery County on November 19, 1990. [See STATE BOARD OF ELECTIONS (Election Returns)1990, MSA T894, 01/08/04/29].]

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1994, Chapter 636, An Act concerning Montgomery County and Prince George's County–City of Takoma Park. For the purpose of providing for the alteration of the boundary line between Montgomery County and Prince George's County to provide that the City of Takoma Park be entirely within Montgomery County or Prince George's County under certain circumstances, to provide that this Act is subject to a referendum of certain voters... Referendum approved and Act began effective.

PRINCE GEORGE'S COUNTY (Montgomery-Prince George's County Line Report)n.d. [MSA MdHR 820650a]

Queen Anne's County (1706)

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1706, Chapter 3, An Act for the dividing and regulating Severall Counties on the easterne shore of this Province and Constituting a County by the name of Queen Anns County within the same Province.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1773, Chapter 10, An Act for the Division of Dorchester and Queen Anns Counties and for erecting a new one by the Name of Caroline.

St. Mary's County (1637)

ARCHIVES OF MARYLAND (Proceedings of the Council of Maryland) 1636-1647, Vol. 3, pp. 60-61. St. Mary's, the first Maryland county, was established in 1637, probably by an order of the Governor.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1695, Chapter 13, An Act for the Division and Regulateing Severall Countys within this province and Constituteing a County by the name of Prince Georges County within the Same.

MARYLAND LAND OFFICE (Boundary Record) 1877-1917 [MSA S17]. Survey records of the Maryland/Virginia boundary. Also contains surveys of Charles County boundary with Prince George's and Saint Mary's counties and records of the Allegany/Garrett county boundary. Includes plats. Bound with the Lighthouse Record series [MSA S13]. Indexed. Indexed in MARYLAND INDEXES Boundary Records, Index [MSA S1474].

Somerset County (1666)

ARCHIVES OF MARYLAND (Proceedings of the Council of Maryland) 1636-1667, Vol. 3, pp. 553-554. Somerset County was created by an Order in Council in 1666. : Caecilius Absolute lord & Prop^{ry} of the pvinces of Maryland p. & Avalon Lord Baron of Baltemore &c To Stephen Horsey, W^m Stevens, W^m Thorne, James Jones John Winder Henry Boston George Johnson & John White gent. Greet^g know ye that wee for the ease & benefitt of the people of this o^r pvince& for the Speedy & more exact Adm^{ncon} of Justice have erected & doe by theis pnts erect all th^t Tract of land wthin this our province of Maryland bounded on the South with a line drawne from Wattkins point (being the North point of th^t bay into w^{ch} the River Wighco form^{ly} called Wighcocomoco afterwards Pocomoke & now Wighcocomoco againe doth fall exclusively) to the Ocean on the East. Nantecoke river on the North & the Sound of Chesipiake bay on the West into a County by the name of Sommersett County in hono^r to our Deare Sister the lady Mary Somersett. [see also ARCHIVES OF MARYLAND Vol. 54, preface, pp. 27-35, Proceedings of the County Courts of Kent (1648-1676), Talbot (1662-1674), and Somerset (1665-1668)]

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1742, Chapter 19, An Act to divide Somerset County, and erect a new county on the sea-board, by the name of Worchester.

MARYLAND STATE PAPERS (Boundary Papers, Counties) 1823-1860 [MSA S56]. Executive records relating to borders between counties. Documents for 1823 concern Anne Arundel and Calvert counties. Documents for 1860 concern Dorchester and Somerset counties (Chapter 165, Acts of 1860). Consists of accounts and receipts, correspondence, and reports. Correspondents include governor and commissioners. Arranged chronologically. Indexed in MARYLAND INDEXES Boundary Records, Index [MSA S1474].

COURT OF APPEALS (Opinions) No. 90, September Term, 1975, Maryland Department of Natural Resources v. France, April 13, 1976 [MSA S393-369, MdHR 40,126-2, 01/66/07/15] Printed in Maryland Reports Vol. 277, pp. 432-471. The Court held that the boundary between two counties divided by a navigable river is the center of the channel of that river unless the boundary has been otherwise established by law. This opinion provides a review of some of the case law concerning county boundaries, especially counties bounding on navigable rivers.

Talbot County (by 1661/1662)

ARCHIVES OF MARYLAND (Proceedings of the Council of Maryland) 1661-1675, Vol. 3, p. 448. The form of Talbot County's creation, though not known, probably was by virtue of an order of the Governor in Council. The County was in existence by February 18, 1661/ 62, when a writ was issued to the sheriff. "Ordered that Moyses Stagwell be Sherriffe of Talbott County till the County Co" can meete to p^rsent other persons to the Gouvernor & Councell."

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1695, Chapter 13, An Act for the Division and Regulateing Severall Countys within this province and Constituteing a County by the name of Prince Georges County within the Same.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1706, Chapter 3, An Act for the dividing and regulating Severall Counties on the easterne shore of this Province and Constituting a County by the name of Queen Anns County within the same Province. In addition to creating Queen Anne's County, this act describes the bounds of Talbot County, Cecil County and Kent County.

Washington County (1776)

ARCHIVES OF MARYLAND (Proceedings of the Conventions of the Province of Maryland) 1774-1776, Vol. 78, p. 242. Washington County was created from Frederick County by resolve of the Constitutional Convention of 1776. "Resolved, That after the first day of October next, such part of the said county of Frederick as is contained within the bounds and limits following, to wit:—beginning at the place where the temporary line crosses the south mountain, and running thence by a line on the ridge of the said mountain to the river Potowmac, and thence with the lines of the said county so as to include all the lands to the westward of the line running on the ridge of the south mountain as aforesaid to the beginning, shall be and is hereby erected into a new county by the name of Washington county.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1791, Chapter 45, An Act) 1789, Chapter 29, An Act for the division of Washington County, and for erecting a new one by the name of Allegany.

WASHINGTON COUNTY COURT (Land Records) GG, pp. 1000A – 1000E,
Commissioners to Establish Line Between Washington and Fredrick Counties, May 20,
1824 [MSA T441-31]

Wicomico County (1867)

CONSTITUTIONAL CONVENTION of 1867 (Constitution) 1867, Article XIII,
Secs. 2 – 6. Wicomico County was created from Somerset and Worcester counties in
1867. “...and if a majority of the legal votes cast within that part of Worcester county,
contained within said lines, and also a majority of the legal votes cast within that part of
Somerset county, contained within said lines, shall be in favor of a new county, then said
parts of Worcester and Somerset counties shall become and constitute a new county, to
be called Wicomico county, and Salisbury shall be the county seat. And the inhabitants
thereof shall thenceforth have and enjoy all such rights and privileges as are held and
enjoyed by the inhabitants of the other counties of this State.”

Wicomico County is the only county in the State whose boundaries are fixed by the
Constitution: “...Beginning at the point where Mason and Dixons' 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 Passerdyke creek to
Dashield'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 southwest corner of the farm of William P.
Morris, thence due east to the Pocomoke river...”

COURT OF APPEALS (Opinions) No. 90, September Term, 1975, Maryland
Department of Natural Resources v. France, April 13, 1976 [MSA S393-369, MdHR
40,126-2, 01/66/07/15] Printed in Maryland Reports Vol. 277, pp. 432-471. The Court
held that the boundary between two counties divided by a navigable river is the center of
the channel of that river unless the boundary has been otherwise established by law.
This opinion provides a review of some of the case law concerning county boundaries,
especially counties bounding on navigable rivers.

Worcester County (1742)

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1742, Chapter 19, An Act to divide Somerset County, and erect a new county on the sea-board, by the name of Worcester.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1750, Chapter 13, An Act to settle the divisions between Frederick and Baltimore counties and also between Dorchester and Worcester counties.

Primary Sources II: County Boundaries – General Laws, Court Opinions, State Agency Records, County Agency Records, Baltimore City Agency Records, Surveys, Maps Pertaining to All Counties.

COURT OF APPEALS (Opinions) No. 90, September Term, 1975, Maryland Department of Natural Resources v. France, April 13, 1976 [MSA S393-369, MdHR 40,126-2, 01/66/07/15] Printed in Maryland Reports Vol. 277, pp. 432-471. The Court held that the boundary between two counties divided by a navigable river is the center of the channel of that river unless the boundary has been otherwise established by law. This opinion provides a review of some of the case law concerning county boundaries, especially counties bounding on navigable rivers.

HALL OF RECORDS COMMISSION (Historical Records Survey, Counties) 1935-1942 [MSA S1776]

Kilty, William. *Laws of Maryland*, 2 Vols. (Annapolis: Frederick Green, 1800).

MARYLAND DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ADMINISTRATION (Boundary Papers) 1766-1988 [MSA T2364]. Materials pertaining to State boundaries including boundary monuments and stones, horizontal control monuments, boundary mileage, latitude and longitude coordinates and conversions, notes on boundary lines, and topographic maps.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1704, Chapter 92, An Act Declaring the Divisions of Severall Countys within this Province made by vertue of a former... Be it therefore Enacted by the Authority aforesd that every County lying on any Navigable River in this Province shall extend its Jurisdiction from the shore to the Channell of such River that Divides the County and be divided from the other County by the Channell of the said River And that where any Shipp or Vessell that shall ride at Anchor in the Channell of such River process may be served on board the said Shipp by the Officer of either County that can first serve it But when moved by any hold on the Land shall be supposed to lye in that County to whose shore she is fastned if moved...

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1908, Chapter 487, An Act to define the jurisdiction of counties, and to supply maps showing the same to the officials of the counties of this State.

MARYLAND STATE ARCHIVES (Historical Records Survey, Counties) 1935-1941
[MSA T1395]

Primary Sources III: State Boundaries - Charter, Laws, Court Opinions, State Agency Records.

ARCHIVES OF MARYLAND (Charter of Maryland) 1632. [Archives of Maryland, Vol. 549] "...all that part of a *Penjnfula*, lying in the parts of *America*, betweene the Ocean on the Eaft, and the Bay of *Chefopeack* on the Weft, and divided from the other part thereof, a right line drawne from the Promontory or Cape of Land called *Watkins Point* (fituate in the forefaid Bay, neere the river of *Wighco*) on the Weft, unto the maine Ocean on the Eaft; and betweene that bound on the South, unto that part of *Delaware* Bay on the North, which lieth under the fortieth degree of Northerly Latitude from the Equinoctiall, where *New-England* ends, And all that tract of land betweene the bounds aforefaid; that is to fay, paffing from the forefaid Bay, called *Delaware* Bay, in a right line by the degree aforefaid, un to the true Meridian of the firft fountaine of the River of *Pattowmeck*, and from thence trending toward the South unto the farther banke of the fore-faid River, and following the Weft and South fide thereof unto a certaine place called *Cinquack*, fituate neere the mouth of the faid River, where it falls into the Bay of *Chefopeack*, and from thence by a ftraight line unto the forefaid Promontory, and place called *Watkins Point*, (So that all that tract of land divided by the line aforefaid, drawne betweene the maine Ocean, and *Watkins Point* unto the Promontory called *Cape Charles*, and all it's a purtenances,..."

Kilty, William. *Laws of Maryland*, 2 Vols. (Annapolis: Frederick Green, 1800).

MARYLAND LAND OFFICE (Boundary Record) 1877-1917 [MSA S17]. Survey records of the Maryland/Virginia boundary. Also contains surveys of Charles County boundary with Prince George's and Saint Mary's counties and records of the Allegany/Garrett county boundary. Includes plats. Bound with the Lighthouse Record series [MSA S13]. Indexed. Indexed in MARYLAND INDEXES Boundary Records, Index [MSA S1474].

MARYLAND DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ADMINISTRATION (Boundary Papers) 1766-1988 [MSA T2364]. Materials pertaining to State boundaries including boundary monuments and stones, horizontal control monuments, boundary mileage, latitude and longitude coordinates and conversions, notes on boundary lines, and topographic maps.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1785, Chapter 1, An Act to approve, confirm and ratify, the compact made by the commissioners appointed by the general assembly of the commonwealth of Virginia, and the commissioners appointed by this state, to regulate and settle the jurisdiction and navigation of Patowmack and Pocomoke rivers, and that part of Chesapeake bay which lieth within the territory of Virginia. The law that ratified the Compact of 1785, also known as the Potomac River Pact, settled differences between Maryland and Virginia regarding commerce and navigation on the Chesapeake Bay and the Pocomoke and Potomac Rivers.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1788, Chapter 46, An Act to Cede to Congress a district of ten miles square in the State for the Seat of the Government of the United States.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1791, Chapter 45, An Act Concerning the Territory of Columbia and the City of Washington.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1818, Chapter 206, An Act for settling the Western Limits of this State and the dividing Line and Boundary between this State and the Commonwealth of Virginia.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1878, Chapter 247, An Act to approve, confirm and ratify the award made by the honorable Jeremiah S. Black, James B. Beck and Charles A. Jenkins, arbitrators appointed to ascertain and fix the boundary between the states of Virginia and Maryland. The Black-Jenkins Award of 1877, Virginia and Maryland recognized the low water mark as the boundary rather than the high water mark. Maryland also recognized Virginia's riparian rights. The award was confirmed by Congress in 1879. The Matthews-Nelson Survey of 1927 laid out the low water mark boundary.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1896, Chapter 51, An Act to establish a State Geological and Economic Survey, and to make provision for the preparation and publication of reports and maps to illustrate the natural resources of the State, together with the necessary investigations preparatory thereto.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1898, Chapter 129, An Act to provide for the making of topographic maps and for the publication of reports of the State Geological and Economic Survey, and to make an appropriation therefor.

MARYLAND GENERAL ASSEMBLY (Laws, Printed) 1959, Chapter 269, "AN ACT to approve, confirm and ratify on the part of the State of Maryland a Compact entered into by the State of Maryland and the Commonwealth of Virginia at Mount Vernon, Virginia, on December 20, 1958, and entitled "The Compact of 1958", by Commissioners earlier appointed by the respective Governors of Maryland and Virginia, establishing a joint Commission representing the State of Maryland and the Commonwealth of Virginia to conserve and maintain the fishery resources of a portion of the Potomac River..."

MARYLAND PROVINCIAL PAPERS (Boundary Papers, North and East) 1720-1767 [MSA S52]. Papers pertaining to the northern and eastern boundaries of the province including letters, petitions, depositions, articles of agreements, proceedings of the commission to survey boundaries and commission to execute agreement, leases, surveyors' field notes and journals, Mason and Dixon astronomical observations and journals, and surveys and maps of boundary areas. Arranged chronologically. Indexed in MARYLAND INDEXES Boundary Records, Index [MSA S1474]. Available on microfilm for 1762-1768, [MSA SM190].

MARYLAND PROVINCIAL PAPERS (Boundary Papers, South and West) 1753 [MSA S51]. Proceedings of council meeting concerning boundary along the Potomac River. Includes members present and correspondence. Indexed in MARYLAND INDEXES Boundary Records, Index [MSA S1474].

MARYLAND PROVINCIAL PAPERS (Transcripts) 1720-1777 [MSA S53]. Collection of transcribed papers and documents on public affairs including Indian relations, boundary disputes, government affairs, paper currency, council proceedings, and letters from distinguished men. Arranged by subject.

MARYLAND STATE PAPERS (Boundary Papers, North and East) 1849-1985 [MSA S988]. Executive records relating to Maryland's border with Pennsylvania and Delaware. Includes messages, reports, correspondence, surveyor journals, and interstate agreements. Correspondents include governors, commissioners, and surveyors. Arranged chronologically. Indexed in MARYLAND INDEXES Boundary Records, Index [MSA S1474].

MARYLAND STATE PAPERS (Boundary Papers, South and West) 1795-1930 [MSA S59]. Executive records concerning Maryland's border with Virginia and West Virginia. Consists of correspondence, resolutions, survey books and reports, astronomical observations, letterbook of the joint commission appointed to establish the boundary, and a sketch of the boundary (1861). Also includes a report marking the boundary along the Potomac River (1928, 1930). Correspondents include governors and commissioners. Arranged chronologically. Indexed in MARYLAND INDEXES Boundary Records, Index [MSA S1474].

MARYLAND STATE PAPERS (Boundary Papers, South) 1868-1927 [MSA S57]. Executive records concerning Maryland's border with Virginia. Contains primarily correspondence. Also includes accounts, affidavits, receipts, and reports. Documents for 1898 pertain to remarking boundary. Documents for 1927 describe four monuments on the Maryland-Virginia border. Correspondents include governors, legislators, and U.S. Secretary of War. Arranged chronologically. Indexed in MARYLAND INDEXES Boundary Records, Index [MSA S1474].

MARYLAND STATE PAPERS (Boundary Papers, West) 1857-1911 [MSA S58]. Executive records concerning Maryland's border with West Virginia. Contains correspondence and original U.S. Supreme Court documents relating to State of Maryland vs. State of West Virginia. Correspondents include governors and commissioners to establish the boundary. Correspondence arranged chronologically. Supreme Court documents bound in volumes. Indexed in MARYLAND INDEXES Boundary Records, Index [MSA S1474].

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UNITED STATES SUPREME COURT (Opinions) Originals, No. 129, Virginia v. Maryland, 540 U.S. 56 (2003). The Court held that the Black-Jenkins Award gives Virginia sovereign authority, free from regulation by Maryland, to build improvements appurtenant to her shore and to withdraw water from the River, subject to the constraints of federal common law and the Award.

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