

sion a party cannot add another successive imperfect holding.<sup>26</sup> Where different persons enter upon land in succession without title, the last possessor is not allowed to tack the possession of his predecessors to his own, so as to make out a continuity of possession sufficient to bar the entry of the owner. The possession of the one is not that of the other, for the moment the first occupant quits possession, the legal possession of the owner is restored, and the entry of the next occupant constitutes him a new disseisor, *Armstrong v. Risteau supra*. However, in *Morrison v. Hammond's lessee*, 27 Md. 604, the Court said that possession by A. and those claiming under a devise by him would bar the real owner.<sup>27</sup> In general, the possession must continue the same in point of locality for the prescribed time, for a roving possession from one part of the land to another will not bar the entry of the real owner on any part of it not held adversely for twenty years, although the different periods of possession of different parcels should amount in the whole to the twenty years. A wrong-doer cannot resort to the metes and bounds of the tract, because the possession of the owner continues unaffected by a tortious entry, save so far as adverse possession has affected it, *Hoye v. Swan*, 5 Md. 237. However, where one enclosed and cultivated one hundred acres of land for fifteen years, and then enlarged his enclosures to cover one hundred and fifty acres, and possessed them by enclosure for six more years, his possession was held good as to the hundred acres, for it was not abandoned by enlarging his enclosures, *Hall v. Gittings' lessee*, 2 H. & J. 380. And though the enclosure was formerly required to be an actual one, it need not have been *continuous*, *i. e.* the fences might have been partially removed at different periods to enable the occupant and others to pass through, the latter by his permission, or the fences might have been partially destroyed at intervals during the winter and renewed in spring for the purpose of cultivating the lands, and such temporary breaches would not defeat a claim by adverse possession.

**No adverse possession against State—Title necessary to support ejectment.**—It was early held that the Lord Proprietary had not *jura regalia*

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for specific performance of a contract of purchase; *Lurman v. Hubner*, 75 Md. 268; *Erdman v. Corse*, 87 Md. 506; *Allen v. Van Bibber*, 89 Md. 436; *Regents v. Calvary Church*, 104 Md. 635; *Cook v. Councilman*, 109 Md. 637; *Arey v. Baer*, 112 Md. 541.

And one who has acquired title by adverse possession may maintain a bill in equity against those who but for such acquisition would have been the owners for the purpose of having his title judicially ascertained and declared, and to enjoin the defendants from asserting title to the same premises from former ownership that has been lost. *Sharon v. Tucker*, 144 U. S. 533.

<sup>26</sup> *Baker v. Swann*, 32 Md. 355; *Peters v. Tilghman*, 111 Md. 240.

<sup>27</sup> In like manner the possession of an ancestor enures to the benefit of his heirs and that of a grantor enures to the benefit of the grantee. Tacking is permissible in each case. *Campbell v. Fletcher*, 37 Md. 430; *Hanson v. Johnson*, 62 Md. 25; *Baltimore v. Coates*, 85 Md. 534; *Wickes v. Wickes*, 98 Md. 327.