

Since the act of 1852, ch. 177, gives the defendant the right to take defense on warrant, the plaintiff must locate every title paper in strict conformity with the calls, etc., and if the plats and explanations do not show them to be so located, they must be rejected at the trial. *Clary v. Kimmell*, 18 Md. 254.

This section referred to in construing section 80—see notes thereto. *Keiso v. Stigar*, 75 Md. 395.

See notes to sec. 71.

1904, art. 75, sec. 83. 1888, art. 75, sec. 80. 1860, art. 75, sec. 56. 1852, ch. 177, sec. 6. 1872, ch. 346. 1882, ch. 372.

83. It shall not be necessary in the execution of any warrant of re-survey to locate by actual survey the whole of any tract or parcel of land; but it shall be sufficient to locate by actual survey the beginning or any call or other object by which the location of the tract may be proved and such portion of the lines connected therewith as may be necessary to show the parts of the land in controversy and the questions to be tried and proved by witnesses to be examined in the cause; and all other lines and objects may be located by protraction on the plats by the party making the survey; and such locations by protraction when made by either party shall be conclusive evidence of the correctness of any object or line so located, unless the same shall be differently located by the other party either by actual survey or by protraction; and in case it is so differently located, the jury shall judge between said locations; and all locations by protraction shall be made by course and distance according to the description of the lands so located, to be shown and proved by some patent, deed, or other paper to be given in evidence and shall be connected by the course and distance of some title paper or other competent evidence, with lines and objects located by actual survey; but in making locations by protraction, the surveyor may correct by protraction to calls for corners or objects already located on the plats, either by actual survey or by protraction, and the surveyor shall hereafter return only three copies of the plats and certificates of survey; and it shall not be necessary in said certificates to incorporate any tables of courses and distances, but said certificates shall contain only a brief explanation of the plats and of the tracts of land and objects shown on the same, describing by a letter or device the point on the plat where each tract begins, and describing by color, number, etc., the lines on the plat which represent the boundaries of each tract or parcel of land and describing by letter or device the manner and place where and in which all other objects are represented on said plats; and it shall not be necessary to describe the location of any tract or object more than once in each of said certificates, although a greater number of title papers may be offered in evidence containing its lines; but each party shall file with the surveyor, to be returned along with said certificate, a list of the deeds, patents, or other conveyances or title papers which he means to offer in evidence at the trial of the cause, briefly describing the same by date, place of record or other means of identification; and said surveyor shall return said lists along with his certificates; and no title paper shall be offered in evidence by either party unless such list shall have been so delivered by him to