

If a party after applying for a warrant of re-survey, parts with his title, his warrant of re-survey loses its effect as such, but may operate as a common warrant. *Twigg v. Jacobs*, 4 Md. Ch. 541. See also *Buckingham v. Dorsey*, 1 Md. Ch. 32; *Lee v. Hoyer*, 1 Gill, 188.

A certificate returned on a warrant of re-survey, will not sustain ejectment. *Jenifer v. Baker*, 1 H. & McH. 57; *Seward v. Hicks*, 1 H. & McH. 22.

The office of a warrant of re-survey. *Hoffman v. Johnson*, 1 Bl. 103.

See notes to secs. 32 and 39.

An. Code, sec. 30. 1904, sec. 30. 1888, sec. 28. 1839, ch. 34, sec. 1. 1841, ch. 333.  
1854, ch. 322, sec. 1.

**29.** Any person entitled to lands in fee simple and being in possession thereof and not desiring to add contiguous vacancy may obtain a warrant of resurvey from the land office, and it shall not be necessary in such warrant to state the name of the tract or tracts of land to be resurveyed; and the surveyor of the county to whom such warrant shall be directed shall survey the lands to be affected thereby according to the possession and holding of the person obtaining such warrant, or those under whom he claims for the last twenty years, and shall take proof of such possession and holding.

When depositions under a warrant of re-survey are evidence in a later suit. To what matters the proof may extend. Caution money. Priority between an elder and junior survey. *Stewart v. Mason*, 3 H. & J. 507.

Special warrant of re-survey obtained under this section—see notes to sec. 48. *Tyler v. Cedar Island Club*, 143 Md. 216.

For cases involving construction of act of 1839, ch. 34, in connection with act of 1818, ch. 90, see *Hoyer v. Swann*, 5 Md. 237; *Mitchell v. Mitchell*, 1 Md. 54.

See notes to secs. 28 and 32.

An. Code, sec. 31. 1904, sec. 31. 1888, sec. 29. 1854, ch. 322, sec. 2. 1912, ch. 595.

**30.** The surveyor before he executes any warrant issued under the preceding section (29) shall give thirty days' notice to the owners or occupants of all the adjacent lands, if the same be occupied, and if the same be not occupied and any of the owners do not reside in the county or city where the lands lie, then to the owners of the said adjacent lands, who may reside in the county or city where the lands lie, and if the adjacent lands be occupied and the owners do not reside in the county or city, the surveyor shall give at least one month's notice prior to the time of the beginning of the survey by publication in some newspaper of the county, or city of Baltimore, in which the said lands may be situated, of at least two consecutive week insertions; said notice shall contain a description of the alleged land as stated in the said warrant, and if the surveyor shall for any reason fail to make the survey on the day named in the publication or notice he may proceed to do so at any time within thirty days after the expiration of the said notice, by posting three written notices on the land proposed to be located and surveyed by him, at least five days before proceeding to make the said survey; and in the certificate of survey, the surveyor shall certify to the Land Office to the publication or giving of notice as aforesaid.

An. Code, sec. 32. 1904, sec. 32. 1888, sec. 30. 1854, ch. 322, sec. 3. 1894, ch. 191.

**31.** The surveyor shall return to the land office within six months from the date of such warrant a certificate of survey and plot, together with the