

into court a sum of money by way of compensation or amends; and when two or more causes of action are joined in one suit or action, it shall be lawful for the defendants or for one or more of several defendants to pay into court a sum of money by way of compensation or amends for and on account of either or all of said causes of action.

The effect of a tender and payment under this and the following section is to admit liability of defendant and to raise as the only issue the extent of such liability. Object of these sections. The tender and payment may be set up by plea. Where plaintiff replies that the money paid is not enough to satisfy his claim the court will hold money until that issue is decided, and then pay to plaintiff so much of it as jury may find to be due. Costs. How verdict should be rendered. *Gamble v. Sentman*, 63 Md. 75; *Palatine Ins. Co. v. O'Brien*, 107 Md. 352. And see *Palatine Ins. Co. v. O'Brien*, 109 Md. 111; *Crook v. New York Life ins. Co.*, 112 Md. 272.

An. Code, sec. 21. 1904, sec. 21. 1888, sec. 21. 1856, ch. 112, sec. 96. 1888, ch. 409.

25. The plaintiff, after payment of money into court for and on account of any cause of action in any suit or action in which said payment shall be lawful under the provisions of the preceding section shall be at liberty to reply to the same by accepting the sum so paid into court in full satisfaction and discharge of the cause of action for and on account of which said payment shall have been made, and he shall be at liberty in such case to have his costs taxed, and if they are not immediately paid he shall have judgment for the costs so taxed; provided, however, that when two or more causes of action are joined in one suit and payment shall be made on account of one or more of said causes of action, the costs shall be apportioned by the court; and when any cause or causes of action upon account of which the plaintiff shall have paid money into court by way of compensation and amends shall have been added by way of amendments, the defendants shall be entitled to tax the costs which shall have accrued after said amendment only, or the plaintiff may reply that the sum paid into court is not enough to satisfy the claim of the plaintiff in respect of the matter to which the plea is pleaded, and in the event of an issue thereon being found for the defendant, the defendant shall be entitled to his costs, the same to be apportioned by the court where there are two or more causes of action joined as aforesaid, and the plaintiff shall be entitled to so much of the sum paid into court as shall be found for him.

See note to sec. 24.

An. Code, sec. 22. 1904, sec. 22. 1888, sec. 22. 1852, ch. 177, sec. 10.

26. It shall not be necessary to state the name by which land may have been patented in declarations in actions of ejectment, dower, trespass or case, but the same may be described by abuttals, course and distance by any name it may have acquired by reputation or by any other description certain enough to identify the same.

This section referred to in deciding that in an action of trespass, evidence of the name of land acquired by reputation is admissible. *Tyson v. Shueey*, 5 Md. 548; *Peters v. Tilghman*, 111 Md. 239. And as to ejectment, see *Cadwalader v. Price*, 111 Md. 315.

The plaintiff cannot abandon his locations in action of trespass, and prove by parol his possession and reputed name of land. The act of 1852, ch. 177, has not altered the