

extent of his
title
22 Md 420,
30 Md 294
Id s 52
1852, c 177, s 2
Patent to be
presumed
10 Md 130, 17
Md 14; 26 Md
462, 27 Md 604,
30 Md 410, 417,
539, 32 Md. 355

User and owner-
ship evidence of
possession

To what titles
not to apply

Id s 53
1852, c 177, s 3
Warrant of re-
survey

Id s 54.
1852, c 177, s 4.
Same

1872, c 346.
Party applying
for warrant to
make location
of claim first

1872, c 346
In execution of
warrant of re-
survey, what to
be located.

When location
by protraction
to be *primâ facie*
evidence.

tent of such title, though other plaintiffs may be joined who have no interest, or may have parted with their interest.

20. In all actions at law where the title to land is in question, it shall not be necessary for any party to any such action to prove that the lands in controversy have been patented; but a patent shall in all cases be presumed in favor of the party showing a title otherwise good; and actual inclosure shall not be necessary to prove possession, but acts of exclusive user and ownership other than inclosure may be given in evidence to the jury to prove possession; *provided*, that nothing contained in this section shall affect for the period of fifteen years any previously existing laws relating to the title to lands held in any part of the State, which were granted for military service.

21. No warrant of resurvey shall issue in any action of ejectment, unless the court shall be satisfied that there is a dispute about the location of the lands claimed in said action, nor shall any issue in other actions, unless there is a dispute about the location of the lands for the injury of which damages are claimed, or unless the court shall be satisfied that plats are necessary for illustration.

22. In any action where the parties hold or claim under the same title the lands in dispute, no warrant of resurvey shall issue, except in cases where the parties claim different parcels under the same title, and it appears to the court there is a dispute about the location of the divisional line or lines.

23. Where a warrant of resurvey shall be issued in any action of ejectment, or other action, the party applying for such warrant shall first make the location of his claim and pretension, and such other location as he may think necessary to bring the cause fairly to trial.

24. It shall not be necessary in the execution of any warrant of resurvey 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 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 such lines as may be necessary to connect and illustrate the points or objects to be proved, and all other lines and objects may be located by protraction upon the plats, if directed so to be, by the party making the survey, but the other party may require any other objects or lines to be located by actual survey or protraction, if he shall desire the same; and such location by protraction, when made by either party, shall be *primâ facie* evidence of the correctness of any object or line so located, unless the same shall be differently located by actual survey; but 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