

or partly in this State and partly in an adjoining State, any person interested may have a commission to mark and bound the whole tract when lying wholly in this State, and also his particular part; and when lying partly in this State and partly in an adjoining State, any citizen of this or of any of the United States may have a commission to mark and bound such part as shall lie within this State.

1888, art. 15, sec. 4. 1860, art. 15, sec. 4. 1786, ch. 33, sec. 8.

4. Where several persons hold separate parts of one and the same tract, they, or any of them, may have a commission, as well to mark and bound the whole tract as their particular parts thereof; and where any person holds a younger survey, and is thereby interested in the location of interfering or neighboring elder surveys, he shall be entitled to a commission to mark and bound any such elder survey, if the person, or some one of the persons, applying for the commission, shall have given notice in writing to the person seized of such elder tract, of his or their intention of applying for such commission, nine months before the petition therefor, and the person seized of such elder tract shall have neglected to apply and obtain a commission.

Ibid. sec. 5. 1860, art 15, sec 4. 1786, ch. 33, sec 2.

5. Any person entitled to lands, as mentioned in the preceding sections, and intending to apply for a commission to mark and bound the same, shall give notice two months before the meeting of the court at which he intends to make his application, by advertisement set up at the court-house door of the county, and at two other public places in the district where such lands lie, of his intention to apply to the court for a commission to mark and bound his land, named or otherwise described in such advertisement; and shall also give notice in writing to the persons holding the adjoining lands, if residing thereon, or if absent, by leaving such notice at the houses of such persons, thirty days before the meeting of the court as aforesaid; and if no person lives on the adjoining land, he shall give such notice by advertisement for four successive weeks in some newspaper printed in the city of Baltimore, and also give personal notice to the owner of the adjoining land, or to his agent or attorney, if known and in the State, thirty days before the meeting of the court as aforesaid.

Weems' lessee v. Disney, 4 H. & McH. 156.