

II. Be it therefore enacted, that for fixing and ascertaining the said divisional line, the following persons be and are empowered to act as commissioners, viz . . . which said commissioners or the major part of them, shall and are hereby authorized and required to meet at some place near the borders of said counties, and call before them, by summons to be issued by them, and directed to the sheriff of the County, all persons who may be deemed proper to give testimony concerning the ancient and reputed divisions of said counties; and the said commissioners, or the major part of them, are also hereby empowered to search the records of the general court, or any county court, for testimonials, to ascertain the division line aforesaid, . . . and the said commissioners, or the major part of them shall and they are hereby required to return their proceedings, together with the proofs whereon the same may be founded, to the next general assembly for their approbation, and that the same division, if found reasonable, may be there ratified and confirmed.

The commission appointed by this Act reported to the succeeding Legislature and were by it appointed commissioners to establish the divisional lines between the said counties. At this time they were instructed to begin

“at the mouth of the creek on the western side of the Chesapeake Bay, called and known by the name of Muddy Creek, lying and being on the south side of the land now owned and occupied by Samuel Owings, thence by and with the said creek to the head thereof, thence in a straight line to a chestnut tree on the south edge of Hall’s Creek branch, marked with a black letter P. on the plain black line shaded yellow and green on the Plats laid down by the said commissioners under the authority of an act of the last session, thence to Q. at the south end of the line forming the eastern limit of the tract called Maidstone, thence with said line of Maidstone to the end thereof, and thence in the same direction until it strikes Lyons Creek, thence down the said creek to the river Patuxent.”

This act was passed February 24, 1824, and constitutes Chapter 183 of the Laws of 1823. By it the commissioners were ordered to make out two plats with explanations which should plainly set forth and describe the beginning and end of each and every course, and show every boundary stone established. A copy of the plat and explanations was to be filed among the land records of each county.

Even these explicit directions seem to have given occasion for question regarding their construction so that during the December session of 1824 a supplemental act was introduced to explain that the terms Muddy or Red Lyon’s Creek of 1823 meant the same as South or Muddy Creek