

BOUNDARIES.

Every surveyor, before he takes on the execution of his office, shall swear that he will not mention any boundary in his certificate or report, unless he shall actually find and measure the distance to such boundary, and that the boundary or boundaries by him returned shall be at the end of the line as expressed, and that his certificate does not contain more land than is claimed by him, to the best of his knowledge and belief. *Ibid.*

The boundaries of election districts, how to be certified. 1799, ch. 35, § 1.

BOUNDING LANDS.

Any person seized of lands held under courses and distances only, as to any one of them, whether courses and distances only are mentioned in the grant or deed, or whether by the foil or boundaries called for the person seized is confined to course and distance, and any person seized of the reversion or remainder on an estate for life or lives therein, may apply by petition in writing to the county court for a commission to mark and bound such lands agreeable to the directions of this act. 1786, ch. 33, § 1.

Such person must give two months notice of his intention, by advertisement set up at the court-house door of the county, and at the doors of the churches and other houses of public worship in the hundred where such land lies. *Ibid.*

The land must be named, or otherwise described, in the advertisement. *Ibid.*

He must also, thirty days before the meeting of the court, give notice in writing to the persons holding the adjoining lands, if residing thereon, or if absent, must leave such notice at their houses. *Ibid.*

If no person lives on the adjoining lands, notice must be given four successive weeks in the Baltimore and Annapolis newspapers. *Ibid.*

He must 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. *Ibid.*

The court, on proof being made to their satisfaction that such advertisements were duly set up and notice given, or on the other persons interested appearing, may issue a commission to any five or three persons, agreed on by all parties, empowering them to mark and bound the land therein mentioned, according to the directions of this act. *Ibid.*

If any of the persons interested should not agree upon commissioners, the court shall appoint three or five persons, skilled in land affairs, not interested or related to either of the parties, to whom a commission shall issue. *Ibid.*

Where several persons hold separate parts of the same tract, they, or any of them, may have a commission to mark and bound the whole tract, and their particular parts thereof. *Ibid.* § 8.

A person holding a younger survey, and thereby interested in the location of interfering or neighbouring elder surveys, shall have a commission to mark and bound such elder surveys, to have the same effect as if he had been seized thereof. *Ibid.*

Provided such person shall give notice in writing to the person seized of such elder tract of his intention nine months before the petition, and the person seized of the elder tract shall be neglected to obtain a commission. *Ibid.*

Where the same tract is held by different persons, and lies partly in one county and partly in another, a commission may be obtained to mark and bound the whole tract, and the particular part of the applicant. 1793, ch. 70, § 4.

When any tract shall be partly in this state, and partly in an adjoining state, a citizen of this or any other state may obtain a commission to mark and bound the part within this state. *Ibid.*

BOUNDING LANDS.

Such commissions to have the same effect as if the land had been wholly in one county, or in this state. *Ibid.*

A commission may issue, on application, notice, &c. to mark and bound land held by bodies politic and corporate. November, 1787, ch. 22.

Directions for the commissioners to give notice, and to meet to execute the commission, after taking the oath therein prescribed. 1786, ch. 33, § 3.

Manner of summoning and compelling the attendance of witnesses, and administering an oath to them on taking their testimony. *Ibid.* § 4.

The commissioners may cause the land mentioned in the said commission, as well as any other lands they may think proper, to be surveyed by the surveyor of the county, or any other whom they may appoint. *Ibid.*

They may administer an oath or affirmation to the surveyor and chain-carrier, to execute their respective duties. 1793, ch. 70, § 5.

They, or any two of them, may adjourn from time to time. 1786, ch. 33, § 4.

They, or the majority of them, or the major part of such majority, concurring in opinion, may and shall cause the land mentioned in such commission to be marked in the lines where convenient, and shall mark or set up boundaries at the termination of the lines when course and distance only are given, according to their adjudication and adjustment of the location thereof. *Ibid.*

They shall return a certificate of such marked lines and boundaries to the court, under their hands, which return shall be received and recorded in the records of such county, unless the court shall otherwise order because of ill behaviour of the commissioners. *Ibid.*

They may summon and compel the attendance of witnesses to prove boundaries which are desired to be perpetuated, and may take depositions, and return them with their proceedings, which shall be as good evidence as if a commission for that purpose had issued under the act of 1723, ch. 8. 1793, ch. 70, § 2.

The commissioners may apply to the county clerks for attachments against such witnesses not attending. *Ibid.* § 3.

The marking and bounding such land, and the record thereof, shall be conclusive evidence of the original location, both as to the direction and termination of the lines, in case no suit shall be brought within 5 years from the recording such return to call in question the adjudication. 1786, ch. 33, § 5.

Where the adjudication shall be confirmed by the verdict of a jury, it shall conclude to every intent and purpose between the same parties and those claiming under them. *Ibid.*

Five years allowed to infants, &c. after the disability removed, to commence suit. *Ibid.*

The commissioners not empowered to vary from the lines or boundaries at the termination of them fairly agreed on between the parties. *Ibid.* § 6.

Such agreement, and a plot thereof, may, by consent, be recorded, and shall have the same effect as if the location had been settled by commissioners. *Ibid.*

Allowance to the commissioners, surveyor, chain-carriers and witnesses, and mode of compelling payment. *Ibid.* § 7.

Where the land, on the execution of a commission, is deficient in the quantity for which it was granted, or is partly taken away by an elder survey, the commissioners shall, on the request of the party, cause any adjoining vacant land, (not exceeding the said deficiency,) to be surveyed, marked and bounded, and shall return with their proceedings a certificate thereof. *Ibid.* § 9.

On such certificate being recorded in the county records, and also in the records of patents in the land-office, the