of the former with the 25th. of the latter, as far as Indian Town ditch. Sound Sense, and good reason, therefore require that the 3. line of Hazledine's part, must intersect the exterior line of the whole Tract at that point where the lines of the latter first coincide with those of the former, or at the end of the 21st. line of "Bond's Rest". A case precisely similar is reported in Kilty's Landholder's Assistant, among the Cases of Caveat in the Land Office, and the decision in the case fully sustains the opinion above given.

The chief Cause of the dispute is this. The 3. course of Hazledine's part does not reach the Exterior line of the Whole Tract without extending the distance given in said line; Nor will the bearing of said line carry the Surveyor to the end of the 21st. line of "Bond's Rest: And, if the bearing be changed and the distance be extended so as to reach the end of said 21st. line, then Hazledine's part will contain more land than was willed to him. These objections are weak and nugatory.

A few years since the foregoing difficulty was left to arbitration, John H. Key and John H. Sothoron being the arbitrating parties, and Chas. T. Shaw and Jos. Dunbar being the arbitrators.

~~The arbitrators commenced at Chinche's Gut, and then laid down from the [illegible] Lines and Distances, as before given, probably with a allowance for variation. They then made a 3. line intersect the exterior line of the whole Tract to extend and include the quantity of land mentioned in the will.~~

~~In doing this the arbitrators acted inconsistently. Hazledine's part either actually had been laid off, or it had not been. This should have been the investigation made by the arbitrators. If they found that it had been laid off, their business was only to find the lines thereof. If it never had been laid off, their duty was to lay off the quantity of land mentioned in Bond's will, without paying any regard to any supposed lines or boundaries, excepting only those of the whole Tract.~~

~~They first took the ground that Hazledine's part had been formerly laid off and run, they took the foregoing Table of Courses as a guide to find the lines, for they began at Chinche's Gut, and ran the 1st. 2 Courses accordingly. They then abandoned the position and determined to lay off the quantity of land mentioned in the will without any regard to the authority which they had previously respected.~~

~~Mr. Key also said to show by the record and he should be sustained in so doing by proving the fact that Hazledine's portion had already been laid off, which the arbitrators did at the commencement, they then had nothing to do as before said but to find the lines previously made, without any regard to the quantity of land they contained.~~

"The Otter Path"

Surveyed for John H. Key, the 7th. Day of December 1842. Lying in Saint Mary's County, adjoining "Bond's Rest" and lying between said land and the Fresh of Chaptico Bay. Beginning at a post, in the marsh, by the East side of Chinche's Gut, in the 56th. line of "Bond's Rest" and 16½ p^s. from the beginning of said line, and running thence, with said land, allowing 1¼ Deg^s. to the right for variation, the three following Courses and Distances; Towit, 1. S. 88¾° E. 71½ p^s. 2. S. 42¾° E. 20 p^s. 3. N. 88¼° E. 30 p^s. thence leaving "Bond's Rest" 4. South 8 p^s. to the water of Chaptico Bay, thence, binding therewith the 10 following Courses and Distances; Towit, 5. N. 62½° W. 12 p^s. 6. S. 65° W. 13½ p^s. 7. N. 57° W. 4 p^s. 8. S. 58° W. 6¾ p^s. 9. N. 73½° W. 9⅖ p^s. 10. N. 37½° W. 21½ p^s. 11. S. 74° W. 5 p^s. 12. N. 85° W. 28 p^s. 13. S. 59° W. 23 p^s. 14. N. 58½° W. 6 p^s. 15 N. 83° W. 7 p^s. to the mouth of Chinche's Gut, and with the Eastern Side of said Gut to the beginning. Containing 5 Acres, more or less. Test. Benj^t. Fippett Dep^y. Sur^r. St. M^s.

Note. A caveat was filed in the Land office against the foregoing Survey by Jno. H. Sothoron, but the Patent issued, in due time to Key.

"Key's Shore"

Surveyed for Jno. H. Key the 10th. Day of February 1843. lying in Saint Mary's County, adjoining "Bond's Rest" and lying between said land and the Northern Shore of Chaptico Bay. Beginning at a Black Walnut Tree standing by a ditch, in the 46th. line of "Bond's Rest" and 2 p^s. from the end of said line, and running thence, with said land, allowing 1¼° to the right as found necessary to correct the variation, the 11 following Courses and Distances, Towit. 1. N. 80¼° E. 2 p^s. 2. N. 60¼° E. 12½ p^s. 3. N. 53¼° E. 22 p^s. 4. N. 69¼° E. 10 p^s. 5 S. 72¾° E. 18 p^s. 6. S. 53¾° E. 42 p^s. 7 N. 46¼° E. 15 p^s. 8. N. 79¼° E. 30 p^s. 9. S. 80¾° E. 16 p^s. 10. N. 42¾° E. 12 p^s. 11 S. 88¾° E. 14½ p^s. to "Chinche's Gut" and with said Gut 12 S. 24¾° W. 11 p^s. to the mouth thereof, thence with the shore of Chaptico Bay, the following Courses and Distances, Towit. 13. N. 69½° W. 7 p^s. 14. S. 55° W. 12 p^s. 15. N. 85° W. 20 p^s. 16. S. 76° W. 24 p^s. 17. S. 52¼° W. 18 p^s. 18. N. 65° W. 8 p^s. 19. N. 49° W. 24 p^s. 20. N. 67° W. 18 p^s. 21. N. 80° W. 8 p^s. 22. S. 78¼° W. 10 p^s. 23. S. 50½° W. 28 p^s. 24. S. 64° W. 9½ p^s. thence by a straight line, running with Indian Town ditch, to the beginning. Containing 8 Acres, more or less. Test. Benj^t. Fippett Dep^y. Sur^r. St. M^s.

Note. Both of the above Surveys were made to Surv^y Jno. Sothoron, [illegible]