written and your petitioners counsel deemed it a sufficient cause for continuance. The survey no doubt can be made by triangulation and accurately made, and we humbly ask, that your Honor will pass an order directing the survey to be made as suggested by the Surveyor and a postponement of the case until such survey is made which relief your Honor will order at an early day and we in duty fc.

G G Brewer
Attorney for Wm T Day.

Letter filed March 19th 1859.

Office Surveyor P Balto Cty

Sir.

On or about the first of this Month I addressed a letter to Wm T Day stating that in consequence of the absence of ice the survey in the case of Day vs Day had not been made, but that I had arranged a plan of survey although differing from the usual custom would in its results be the same, asking him to call at my office, hear an application of the same, and agree in writing to it. John T Day having already consented, Yesterday being without reply from him I approached him upon the subject and as he refused to agree upon any other plan of survey than the usual custom, I accordingly stated to him that these facts should be reported to your Department which I have as briefly as possible stated herewith.

My previous letters upon this subject have informed you that without ice the nature of the allusion prevents a survey upon the usual plan pursued.

I am Sir Yours &c
R. H. Templeman
Surveyor of P Balto Cty.

Wm L W Seabrook Esq
Comr Land Office Annapolis Md.

I hereby certify that the above letter is a true copy of the original received in P Balto City by me on the 9th of this Month addressed as above.

R H Templeman
Surveyor of P Balto City 19th Mar 1859.

Order issued April 13th 1859

John T Day
vs
Wm T Day

Caveat vs "Mud Island"

P Baltimore County

In the Land office of Maryland.

Having considered the Motion of the Caveator for dismissal of caveat filed on the 16th day of March 1859 and the petition of the Caveator with accompanying exhibits filed on the 19th of March 1859 I hereby overrule the Motion for dismissal and order that said Caveat remain in force until, and be heard on the 1st day of June next, and that the Surveyor of P Baltimore County lay down any lands which by either party he may be directed to lay down, to illustrate the matter in dispute, and that depositions taken before a Justice of the Peace upon three days Notice be read in evidence on the hearing of said Caveat, provided a copy of this Order be served on the defendant, one before the

18th day of April 1859.

Witness my hand and seal of Office this 5 day of April 1859.

The Land Office of Maryland

Wm L W Seabrook Comr
of the Land Office.

Letter filed May 24th 1859.

P Baltimore County May 20 1859

Dear Sir,

As the period of June the time appointed for hearing the Caveat of Days vs Day is fast approaching, and finding it impossible for me to be ready at the time specified I write to request your Honor for a short extension time, as Thursday next I am compelled to be at Towsontown, having a case on the Civil Docket No 61. which is marked for trial and shall be obliged to attend Court every day until it is called.

Mr Shepley the County Surveyor, has been making the location for the last two days and expects to finish on Tuesday next. We are to resume taking testimony, but have not made much progress as yet, after Wednesday next my time being wholly occupied at Towsontown for few weeks, I shall not be able to take any more testimony until my case is disposed of at Court, being the only delay I have asked since the commencement of this case. You will please take it under consideration and oblige

Yours Very Respectfully
William T Day
Lutts Tunpenier P Balto Co Md

I should be very much pleased if you would come up immediately on receipt of this and see the location, you can stop at Harwood where Mr Leach would give you access to my house. W. T. D.

Order issued May 24th 1859

John T Day
vs
Wm T Day

Caveat vs "Mudd Island"

P Baltimore County.

In the Land Office of Maryland,

Ordered upon petition of the Caveator that this case be postponed until and to stand on the 22 day of June next, and that the County Surveyor lay down any lands which by either party he may be directed to lay down to illustrate the matter in dispute; and that Depositions taken before a Justice of the Peace upon three days Notice be read in evidence on the hearing of said Caveat.

Witness the Hon W L W Seabrook
Comr of the Land Office this 24 day of
May 1859.

Land Office of Maryland.

W L W Seabrook
Comr of the Land Office

Petition of Wm T Day filed June 10th 1859.

John T Day
vs
William T Day

Land Office
Application for Patent for Mud Island.
Caveat by John T Day.