

in current use. State agencies are required by law to have their records placed on retention and disposal schedules. No public records can be destroyed without scheduling and the prior approval of the State Archives.

All records that are in the courthouses of the State and that were created prior to April 28, 1788, the date of ratification of the U. S. Constitution by Maryland, must be deposited at the State Archives. The records of all State agencies, boards, and commissions that are abolished or otherwise cease to function must also be transferred to the custody of the State Archives.

All current deeds, mortgages, and releases recorded in the courthouses of the State are microfilmed and preserved at the State Archives for security purposes. Limited facilities are available for the filming of records of State agencies.

In 1947 the State Archives began to collect publications and reports of State agencies. By Chapter 912, Acts of 1982, the State Archives receives State publications and reports under the State Publications Depository and Distribution Program. It is also an official depository for county charters, codes, and laws (Code 1957, Art. 25, sec. 32A; Art. 25A, secs. 3B(3), 7(b); Art. 25B, secs. 7(b)(3), 12(b)). Since 1983, the Department of Legislative Reference annually deposits municipal charter amendments and annexations, after publication, with the State Archives (Code 1957, Art. 23A, sec. 17C).

The State Archives compiles, edits, publishes, and distributes the MARYLAND MANUAL. By Chapter 119, Acts of 1981, the Archives also prepares, edits, and publishes future volumes of the *Archives of Maryland* series.

Chapter 488, Acts of 1966, transferred the functions, records, responsibilities, and employees of the Commissioner of the Land Office to the Hall of Records Commission. Under the provisions of Chapter 355, Acts of 1967, the State Archivist is designated as the Commissioner of Land Patents and assigned the responsibility of issuing land patents and conducting court hearings. In performing these duties, he acts independently of the duties imposed on him as State Archivist (Code Real Property Article, secs. 13-101 through 13-504).

The land patent process is the mechanism for granting land in Maryland. Land patents were issued by the proprietors during the colonial period, and later by the State. Virtually all land in Maryland has been patented. Through survey errors or because of the inaccessibility of a tract, some land was, in fact, never included in a patent.

This land, when it is discovered, can be patented, with title passing to the patentee upon payment of the fair market value of the land to the State.

An applicant for a patent must present evidence based on a title search of the property in question proving that no former patent encompasses any portion of the land. Information concerning the land patent process and an application for a patent can be obtained from the Commissioner of Land Patents.

The State Archives also serves as the official depository for the duplicate copies of subdivision plats formerly sent to the Land Office as insurance against the loss of the originals.

## COMMISSION ON ARTISTIC PROPERTY

*Chairperson:* Oden Bowie

Katharine Finney Baetjer; William V. Elder III;  
Sara Barker Hanan; William S. James.

*Secretary:* Dr. Edward C. Papenfuse, *State Archivist*

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Created by Chapter 111, Acts of 1969, the Commission on Artistic Property was incorporated into the State Archives by Chapter 286, Acts of 1984. The Commission keeps a continuing inventory of valuable paintings and other decorative arts in all State buildings in the Annapolis area. The Commission also provides for the location, proper care, custody, restoration, display, and preservation of these paintings and decorative arts. Every person, agency, or organization desiring to acquire a painting or other decorative art for the State, for display in a State building or premises in the Annapolis area, must secure from the Commission both prior approval and final acceptance of the painting or decorative art. In such instances, the Commission considers the competence of the artist or creator, the proposed location, and the quality, historical significance, and appropriateness of the work.

The Commission is empowered, with the approval of the Governor and the State Archivist, to receive and accept gifts and loans of paintings and other decorative arts. With the approval of the Governor, the State Archivist may accept gifts of