

The patent, when granted, relates back to the date of the warrant. *Smith v. Devecon*, 30 Md. 481; *Owings v. Norwood*, 2 H. & J. 96; *Chesapeake Canal Co. v. B. & O. R. R. Co.*, 4 G. & J. 6; *Garretson v. Cole*, 2 H. & McH. 459; *Hammond v. Warfield*, 2 H. & J. 151; *Steyer v. Hoyer*, 12 G. & J. 202; *Howard v. Moale*, 2 H. & J. 249; *Howard v. Cromwell*, 1 H. & J. 118; *Howard v. Cromwell*, 4 H. & McH. 329; *Jones v. Badley*, 4 Md. Ch. 167. *Cf. Attorney General v. Snowden*, 1 H. & J. 332; *Kelly v. Greenfield*, 2 H. & McH. 121.

Lands held in trust, are liable to escheat. *Matthews v. Ward*, 10 G. & J. 443.

Land liable to confiscation, may be granted under an escheat warrant. *Owings v. Norwood*, 2 H. & J. 96.

While escheat lands can not ordinarily be taken under a common warrant, if an honest mistake has been made, the grant will be made. *Jones v. Badley*, 4 Md. Ch. 167. *Cf. Smith v. Baker*, 4 Md. Ch. 30; *Partridge v. Colegate*, 3 H. & McH. 339.

Where there is an escheat, a subsequent grant by the proprietary without inquisition, etc., is valid. *Greaves v. Dempsy*, 1 H. & McH. 65.

Nature of an escheat warrant; what passes to the grantee. *Casey v. Inloes*, 1 Gill, 433; *Howard v. Moale*, 2 H. & J. 249; *Hall v. Gittings*, 2 H. & J. 112.

Requisites of an escheat warrant and an application therefor. *Armstrong v. Bittinger*, 47 Md. 109.

How escheat lands should be taken up, and practice of the land office. *Proprietary v. Jennings*, 1 H. & McH. 92.

How an escheat is proved. *Peterkin v. Inloes*, 4 Md. 187. *Goodwin v. Caton*, 4 Md. Ch. 161.

For a definition of "escheat," see *Hall v. Gittings*, 2 H. & J. 112. See also, *Casey v. Inloes*, 1 Gill, 433; *Matthews v. Ward*, 10 G. & J. 443.

See notes to sections 27 and 41.

1904, art. 54, sec. 34. 1888, art. 54, sec. 32. 1860, art. 54, sec. 25. 1849, ch. 424, sec. 2. 1894, ch. 191.

34. Every warrant issued out of the land office shall be executed within six months from the date thereof, and no escheat warrant shall be renewed after six months from its date.

See notes to sec. 33.

Ibid. sec. 35. 1888, art. 54, sec. 33. 1860, art. 54, sec. 26. 1861, ch. 3. 1894, ch. 191.

35. Every person who has obtained a warrant to survey or escheat land shall within one year from the date of such warrant pay for the vacant land included in the certificate of survey fifty cents per acre, and shall in addition pay the value of any improvements there may be on such vacant land, but there shall be deducted from the purchase money aforesaid the sum which the party paid as caution upon obtaining the warrant, and for land which has escheated two-thirds of the real value of the same and the real value of the improvements thereon; if any person shall fail to pay within one year, as required by this and the preceding sections, the land may be taken up by any other person under a proclamation warrant or escheat warrant, as the case may be.

A presumption will not be made in support of a title acquired in violation of the rules of the land office. *Lee v. Hoyer*, 1 Gill, 202. And see *Hutchins v. Erickson*, 1 H. & McH. 339.

See notes to sections 30, 33 and 41.

Ibid. sec. 36. 1894, ch. 191, sec. 33 A. 1892, ch. 532. 1904, ch. 570.

36. The amounts due the State upon any certificate of survey for fees and for composition or purchase money and the value of improve-