

CHAPTER 513

(House Bill 245)

AN ACT to repeal and re-enact, with amendments, Sections 1, 3, 5, 7, 10, 11, 12, 13, 15, 16, 17, and 18 of Article 91 of the Annotated Code of Maryland (1969 Replacement Volume), title "Surveyor and State Survey," subtitle "Surveys, Returns and Certificates," and to repeal and re-enact, with amendments, Section 27 of Article 36 of the Code (1965 Replacement Volume), title "Fees of Officers," subtitle "Surveyors," to delete all references to the surveyor of Baltimore City and to eliminate certain archaic verbiage in these sections, subject to a certain contingency.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 1, 3, 5, 7, 10, 11, 12, 13, 15, 16, 17, and 18 of Article 91 of the Annotated Code of Maryland (1969 Replacement Volume), title "Surveyor and State Survey," subtitle "Surveys, Returns and Certificates," and to repeal and re-enact, with amendments, Section 27 of Article 36 of said Code (1965 Replacement Volume), title "Fees of Officers," subtitle "Surveyors," be and they are hereby repealed and re-enacted, with amendments, and all to read as follows:

91.

1.

The surveyors for each county [and the City of Baltimore] shall execute all warrants issued from the Land Office, and all orders or warrants issued by any court having authority to issue [the same] *them* and shall make return thereof within the time prescribed by law. Whenever the surveyor is incapacitated by sickness or any other cause from executing any warrant or order issued to him from the Land Office or any court, or the surveyor neglects or refuses to proceed with [such] *the* warrant or order, anyone interested in the execution and return of [such] *the* warrant or order may petition the [Commissioner of the Land Office] *Archivist of the Hall of Records Commission* or court for the appointment of a deputy surveyor to execute the warrant, and the [said] Commissioner of the Land Office or court may, if necessary, appoint [such] *a* deputy and issue a duplicate warrant to such deputy; and [such] *the* return or certificate shall have the same effect as if executed by the surveyor.

3.

The books for that purpose shall be procured at the expense and shall be the property of the county [or Baltimore City] and shall be kept by the surveyor thereof open to the inspection of all persons who may desire to examine the [same] *books* and shall be handed down to his successor in office.

5.

Surveyors and their deputies may administer an oath to their chain and pole carriers, carefully, without favor or partiality to carry the chain or pole to the best of their knowledge [whilst] *while* making a survey.