

ment to which it pertains are true and complete to the best of the affiant's knowledge, information and belief.

(2) "Commissioner" means the Commissioner of Land Patents designated in § 13-103.

(3) "Land" means any contiguous area, whether cultivated or uncultivated, within the territorial limits of the State of Maryland, except that "land" does not include any area covered by navigable water unless such was included in a patent issued prior to March 3, 1862. "Vacant land" means land for which no patent has issued and which no person, other than one who hereafter applies for a patent and those through whom he derives title, has held in possession for twenty years prior to the filing of a proceeding under this subtitle.

(4) "Patent" means any valid grant by the State of Maryland of its interest in and to any vacant, resurveyed, escheat or confiscated land under any prior law; any grant confirmed by Article 5 of the Declaration of Rights of the Constitution of Maryland; and any patent hereafter issued in accordance with this subtitle.

(5) "Resurvey," whether used as a noun or as a verb in any form or tense, means and refers to the act of surveying any land for which a patent has previously been issued in order to obtain a new patent therefor.

(6) "Surveyor" means the person elected or appointed pursuant to Article VII, § 2, of the Constitution of Maryland as county surveyor for the county to which a warrant of survey or resurvey is to be directed; or, if no such person is elected or appointed, any person authorized to practice land surveying as defined and regulated by Article 75½.

(b) Construction.—This title shall not be construed to alter, abridge or in any manner affect the rights of any person deriving title through any patent heretofore issued or to the present or future rights of any person under Article 57, § 10, relating to limitations in bar of patents.

13-103. Designation of Commissioner; seal; powers and duties of Commissioner generally; nature of proceedings for issuance of patents; summons; perjury; employees.

(a) Designation of Commissioner; seal.—The functions of the Commissioner of Land Patents under this title shall be performed by the Archivist appointed by the Hall of Records Commission. When acting in such capacity, the Archivist shall be deemed to act independently of the powers, duties and responsibilities imposed upon him as Archivist. The seal used by him in the performance of any duty under this title shall be the seal formerly used by the Commissioner of the Land Office.

(b) Issuance of patents.—All patents shall hereafter be issued by the Commissioner in accordance with the provisions of this title. In the exercise of such powers, the Commissioner shall have authority to issue warrants and summons, approve certificates of survey or resurvey, conduct hearings on any matter relevant to the issuance of patents, administer oaths in such proceedings, and determine the propriety of the issuance of patents pursuant to this title. He may promulgate rules regulating the manner of the exercise of such powers to any extent not inconsistent with the provisions of this title.