

13-101.

The abolition of the office of Commissioner of the Land Office by vote of the people at the general election of November 8, 1966, and the abolition or modification of various forms for obtaining patents resulting by direction or implication from various acts of the General Assembly since the basic law relating to the issuance of patents was adopted in the eighteenth century, require a complete revision of the law and practice relating to the issuance of patents. This [subtitle] TITLE is designed and shall be construed to provide a simple and convenient method for obtaining such patents. Neither this [subtitle] TITLE nor any patent issued hereunder shall be construed to alter or affect the rights of any person deriving title under a patent heretofore granted.

13-102.

(a) As used herein the following words shall have the following meanings, unless the context requires a different meaning:

(1) "Affidavit" means an oath or affirmation sworn or made before an officer or other person authorized to administer an oath or take an affirmation that the matters and facts set forth in the document 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] TITLE.

(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] TITLE.

(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 75-1/2.

13-110.

(c) In any proceeding where a hearing is not required by § 13-111 or, if required, in which any of the matters to be determined by the Commissioner are not in issue, the Commissioner may make any determination referred to in subsection (b) on the basis of the documents filed in the proceeding as required or permitted by this [subtitle] TITLE. The Commissioner may, however, require a hearing at any time or for any relevant purpose and shall require such hearing before refusing to issue a patent.