

THE SAME MANNER AS PROCEEDINGS IN A COURT OF RECORD.

(H) PERJURY IN PROCEEDING.

ANY WILLFUL AND FALSE OATH OR AFFIRMATION MADE IN ANY HEARING BEFORE THE ARCHIVIST OR IN ANY APPLICATION, CERTIFICATE, DEPOSITION, OR OTHER DOCUMENT FILED IN A PROCEEDING TO OBTAIN A PATENT, IS PERJURY AND MAY BE PUNISHED ACCORDINGLY.

REVISOR'S NOTE: This section presently appears as Art. 21, §13-103 of the Code. The subsections have been divided and rearranged for organizational purposes.

References to "Commissioner" in this and subsequent sections are proposed for deletion as obsolete and "Archivist" be substituted.

In subsection (b) (5), the provision that permits the Archivist to determine the "propriety" of a patent is omitted and new language is added in accordance with the probable original legislative intent.

Subsection (e) is new language derived from present subsection (c).

The last sentence in existing subsection (d) is proposed for deletion so that it may be added to form new subsection (f) in §13-110. The change is proposed for organizational purposes.

The only other changes are in style.

13-104. WHO MAY OBTAIN PATENT; INTEREST NOT PASSED, AFFECTED OR ACQUIRED UNTIL ISSUANCE OF PATENT.

(A) PERSONS ENTITLED TO APPLY FOR PATENT.

A PERSON MAY OBTAIN A PATENT FOR VACANT LAND OR OBTAIN A NEW PATENT FOR LAND PREVIOUSLY PATENTED, OR BOTH, IN THE MANNER AND TO THE EXTENT PROVIDED IN THIS TITLE.

(B) INTEREST BEFORE PATENT ISSUES.

THE INTEREST OF THE STATE DOES NOT PASS AND IS NOT AFFECTED BY ANY PROCEEDING UNDER THIS TITLE UNTIL THE ACTUAL ISSUANCE OF A PATENT. A PERSON DOES NOT ACQUIRE ANY INTEREST IN ANY LAND BY FILING AN APPLICATION, OR BY THE ISSUANCE OR RETURN OF ANY WARRANT OR CERTIFICATE OF