

acres for the purpose of preserving, depositing, bedding or sowing oysters or other shell fish, and that any other citizen of the State shall have power to locate and appropriate five acres in any waters in said State, not located or appropriated, provided, that ten days notice in writing shall be given the owner or owners, occupant or occupants of lands, bordering on said water proposed to be located. That the owner or owners, occupant or occupants may have priority of claim, and if they shall fail to locate or appropriate the water mentioned in said notice within ten days after receiving the same, then it shall be open and free to any one under the provisions of this section; provided, also, that the said location or appropriation shall be described by stakes, bushes or other proper and visible marks, or metes and bounds, which description shall be reduced to writing, under the oath of some competent surveyor, and recorded at the expense of the party locating or appropriating the same, in the office of the Clerk of the Circuit Court for the county wherein such land may be located; and provided, also, that such location and appropriation shall not injure, obstruct or impede the free navigation of such waters; *provided*, that no natural bar or bed of oysters shall be so located or appropriated.

Owners to
have priority.

Sec. 29. *And be it enacted*, That if any creek, cove or inlet not exceeding one hundred yards in breadth at its mouth make into the land or lands, or that if any creek, cove or inlet of greater width than one hundred yards make into the land or lands, the owner or owners, or other lawful occupant or occupants shall have the exclusive right to use such creek, cove or inlet, when the mouth of said creek, cove or inlet is one hundred yards or less in width, and when the said creek, cove or inlet is more than one hundred yards in width at its mouth, the said owner or owners or other lawful occupant or occupants, shall have exclusive right to use such creek, cove or inlet so soon as said creek, cove or inlet in making into said land or lands, shall become one hundred yards in width, for preserving, depositing, bedding or sowing oysters or other shell fish, although such creek, cove or inlet may not be included in the lines of any patent.

Owner of
creek, &c.