

Fines to be paid into treasury.

ticle, shall, upon warrant of the Comptroller, be paid into the Treasury, and placed to the credit of the Oyster Fund, and the Comptroller is hereby required to state in his annual report, particularly, the receipts and expenditures, on account of said fund, and the balance standing to the credit of the State at the time of making such report.

Owners of land to have exclusive privilege.

Sec. 28. *And be it enacted*, That the owner, or owners, of any land bordering on any of the navigable waters of this State, the lines of which extend into, and are covered by said waters, shall have the exclusive privilege of using the same for protecting, sowing, bedding, or depositing Oysters, or other shell fish, within the lines of their own land, and any owner or owners of land, lying and bordering upon any of the waters of this State, shall have power to locate and appropriate in any of the waters adjoining his, her or their land, five acres for the purpose of protecting, 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, 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 lands may be located; *and provided, also*, that such location and appropriation shall not injure, obstruct, or impede the free navigation of such waters; *and provided*, that no natural bar or bed of Oysters shall be so located or appropriated, and that six months' peaceable possession of all locations of Oyster grounds, under the laws of

In any waters.

Stakes or other marks.

Peaceable possession.