

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 in 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 this State, shall constitute a good and sufficient title thereto; but should any one, within the six months hereinbefore provided, be charged with locating or appropriating any natural bed or bar hereinbefore prohibited, the question may be at once submitted, by any person interested, to the Judge of the Circuit Court in the county where such questions shall arise, who, after having given notice to the parties interested, proceed to hear the testimony and decide the case, and if decision be in favor of the party locating said five acres, said decision shall be recorded with the original record of said five acres, and shall in all cases be conclusive evidence of title thereto.

Proviso.

Submit to, court

SEC. 24. *And be it enacted,* That if any creek, cove or inlet, not exceeding one hundred yards at low water in breadth at its mouth, make into the lands, or that if any creek, cove or inlet of greater width than one hundred yards at low water mark, make into the 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 at low water, 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 at low water, for preserving, depositing, bedding or sowing oysters, or other shell-fish, although such cove, creek or inlet may not be included in the lines of any patent.

Exclusive right to use.