

42.

The caveat is but an objection to the issuance of a patent, and if not heard within the period provided by this section, without extension of time, the certificate is released from the effect of the caveat by operation of law, and upon the compliance by the caveatee with all other provisions of the law, the patent should issue. The failure to hear and determine the caveat as provided by this section affects only the caveat and not the certificate or rights of the caveatee. *Barton v. Swamson*, 130 Md. 632.

47.

To the third note to this section on page 1332 of volume 1 of the Annotated Code, add *Hodson v. Nelson*, 122 Md. 335.

See notes to sections 48 and 49.

48.

A riparian owner held not to be entitled to an injunction against the erection of crab houses and crab pounds or floats not attached to the mainland, in front of his property, such structures not interfering with ingress and egress, nor with his right to make the improvements provided for by this and the preceding section. When such owner desires to make such improvements the crab houses, etc., must yield to his paramount right. Until the owner makes such improvements, the title to the land under the water is in the state. Nature and extent of riparian owner's rights under this section. *Hodson v. Nelson*, 122 Md. 334.

To the first note to this section on page 1332, and to the third note to this section on page 1333 of volume 1 of the Annotated Code, add *Hodson v. Nelson*, 122 Md. 335.

See notes to section 49.

49.

The right of the state under the act of 1745, chapter 9, to intercept the riparian owner's right to make improvements into the water before he had made such improvements, by a grant of the land covered by the water, was taken away by this section. Cases dealing with the act of 1745, chapter 9. *Brady v. Baltimore*, 130 Md. 510.

See notes to section 48.