

disposal by the State for the purpose of private planting or propagation of oysters thereon under the provisions of this sub-title, provided that the said survey or resurvey and report shall not be so construed as to affect in any manner the holdings by citizens of this State in any lot which may have been appropriated or taken up under the laws of this State prior to the third day of April, 1906.

An. Code, sec. 92. 1906, ch. 711, sec. 90. 1914, ch. 265, sec. 90.

105. The said Board, in defining the natural beds and bars, shall exercise its judgment liberally in favor of the natural beds and bars and allow a reasonable margin of the barren bottoms, rather than encroach on a natural bed or bar. The natural beds or bars shall be bounded by straight lines, even though some portions of barren bottoms may thus be necessarily included within such lines. All natural beds or bars shall be surrounded by neutral zones 200 yards wide in the Chesapeake Bay and Tangier Sound, and 50 yards wide elsewhere, to be located contiguous to but entirely outside of the natural beds and bars, which neutral zones shall be excluded from the operation of this sub-title, and no person shall be permitted to plant or cultivate oysters thereon or in any way to appropriate the same to his own use; provided that nothing herein contained shall effect in any manner leases actually issued and in force prior to the approval of this Act within such neutral zones.

See notes to art. 72, sec. 111.

An. Code, sec. 93. 1906, ch. 711, sec. 91.

106. If residents of any county, exceeding twenty-four in number, shall, within four months after the filing of said survey and report in such county, file in the circuit court for said county a petition, in writing, attested by the oath of some one or more of the petitioners, alleging that five or more adjacent acres of oyster beds, bars or rocks, in such county, have been omitted from such survey, or that five or more acres of barren bottoms have been included in such survey, and designating the location of same by a plat, or as near as may be with reasonable certainty by such land marks as will locate and designate the beds alleged to have been omitted or included, a judge of the circuit court for the said county, after due notice given to the board of shell fish commissioners, shall proceed to hear testimony and decide the case, as provided in the succeeding section, but this section shall not apply where the ground claimed by the petitioners has been legally taken up prior to April 2, 1906.

See notes to sec. 107.

An. Code, sec. 94. 1906, ch. 711, sec. 92.

107. Upon hearing a case presented by petition under the preceding section, the judge shall determine the question whether the ground referred to in said petition is a natural bed or barren bottom, and his finding on said question shall be final, and shall be entered upon the records of the