

in the Circuit Court for the County in which or nearest to which the area applied for is located, and the Clerk of said Court shall thereupon docket a suit at law in which the protestants are to be the plaintiffs and the Board of Shell Fish Commissioners the defendant, and the said case shall thereafter proceed as set forth in Section 111, with the right of appeal as provided in said Section; provided, however, that no such protest may be filed if it shall appear that the character of the area in question has been adjudicated in proceedings theretofore taken under the provisions of Section 111, or that proceedings under said Section are then pending. If no protest is filed within the time herein provided, all leases issued after the passage of this Act, in accordance with its provisions, shall be binding on the respective parties thereto and conclusive as to the nature of the area leased, notwithstanding the provisions of Sections 110, 111 and 112 of this article.

An. Code, sec. 106. 1906, ch. 711, sec. 104. 1914, ch. 265, sec. 104.

122. Immediately after the termination of the respective periods prescribed for the filing of protests or appeals as above provided, or immediately after final decision upon any protests or appeals that the area in question may lawfully be leased, it shall be the duty of the said Board to notify the applicant by letter mailed to his last known post-office address that said Board is ready to issue the lease applied for, and upon the payment by the applicant of a further fee of two dollars and a half, in addition to the fee of five dollars, which is to accompany his application, and upon execution of the lease, said Board shall cause to be entered in a book or books to be known as "The Register of Titles to Oyster Lands," the name of the applicant, with a concise but clear description of the land applied for. If the applicant fails to accept the lease and pay all fees herein provided within sixty days after the mailing of the notice herein provided, the application in question shall become null and void, and all payments theretofore made to said Board by the applicant shall be forfeited; provided, however, that the said Board may for good cause shown extend the time for acceptance of leases for an additional period of sixty days. The payment of the proper fees due for the application and record in the register required by this Section to be kept, shall constitute between the State and the applicant the relation of landlord and tenant for the term of twenty years, from the record of the lands so applied for as aforesaid, at the annual rentals provided in Section 116 of this article.

An. Code, sec. 107. 1906, ch. 711, sec. 105. 1912, ch. 539, sec. 105. 1914, ch. 265, sec. 105.

123. The relation of landowner and tenant stated in Section 122 shall have all the incidents attaching to that relation as the same exists under the laws of Maryland, excepting only the following particulars:

First: Land leased under this sub-title shall be used only for the purpose of planting and cultivating oysters;

Second: Residents of this State shall have the right to crab or fish upon all leased areas, provided they do not remove or destroy oysters thereon;