

bar thus resurveyed, and shall cause to be marked or defined as accurately as possible the correct limits and boundaries of such natural bed or bar, and said amended chart shall be filed in the office of the Commission in the City of Baltimore within ninety days thereafter, and copies thereof shall be filed with the Clerk of the Circuit Court of the County in which or nearest to which the natural bed or bar thus resurveyed is located; provided that such resurvey shall in no manner affect leases of a part or all of the area resurveyed, actually issued and in force at the time of such resurvey unless the respective lessees thereof shall voluntarily surrender their leases as hereinafter provided, or shall forfeit their leases by non-payment of rentals as provided in Section 113, or unless the rights, interests and properties of the lessees under said leases shall be acquired by the State by condemnation proceedings instituted not later than January 1st, 1915, as provided in Section 109. The said Commission is authorized to accept voluntary surrender of leases of any lots within the area thus resurveyed and found to be natural beds or bars, and to refund to such lessee the rentals and charges theretofore paid to said Commission for the lot or lots surrendered.

An. Code, 1924, sec. 111. 1912, sec. 96B. 1914, ch. 265, sec. 94B.

108. Three or more residents of this State may at any time before January 1, 1915, file a petition in writing, alleging that five or more adjacent acres of natural beds or bars situated in the Chesapeake Bay outside County waters, or one or more acres of natural beds or bars within the territorial limits of any County of this State, to be described in said petition have been excluded from the surveys or resurveys of natural beds or bars of this State, such petition to be attested by the several oaths of the petitioners, and to be filed in the Circuit Court for the County in which or nearest to which the area in question is located. Upon the filing of such petition, the Clerk of the Circuit Court shall docket a suit at law in which the petitioners are to be plaintiffs and the Conservation Commission and lessees, if any, of such area are to be the defendants. The Court, or any Judge thereof, shall thereupon pass an order directing summons to issue for the defendants, to be served in the same manner as summons in actions at law, and returned by some day to be named in said order. The defendants shall answer said petition within fifteen days after the return day to which they are summoned, unless the Court for good cause shown shall extend the time for answering. After filing of such answer or in default of answer within the time fixed, the Court shall proceed promptly to hear all evidence adduced by the parties, or either of them; and shall decide whether the area described in said petition is or is not a natural bed or bar as defined in Section 93, and judgment shall be entered accordingly. The hearing in said Circuit Court shall be before a jury, unless jury trial be waived by all parties, in which event the hearing shall be before any Judge or Judges of said Court. An appeal to the Court of Appeals of Maryland may be taken by either party to said case from the judgment of said Circuit Court within thirty days thereafter, and the Court of Appeals shall have power to review all questions of fact or law involved. If the final decision shall be that the area in question is a natural bed or bar, amended plats shall be made and copies filed as provided in Section 107. The parties filing the petition in the Circuit Court as herein provided shall first file a bond with sufficient surety in the sum of \$25, conditioned