

inbefore for natural oyster beds, bars and rocks, which said crabbing sections shall be exempt from leasing for oyster culture.

This section referred to in construing art. 54, sec. 47—see notes thereto. *Hodson v. Nelson*, 122 Md. 338.

An. Code, 1924, sec. 115. 1912, sec. 99. 1906, ch. 711, sec. 97.

112. One of the steamers of the state fishery force shall be kept in commission under the command of the deputy commander, and subject to the control and direction of the commissioners from the first day of April in each year until the first day of October following, to assist the board in the performance of the duties imposed upon it by this sub-title, and the deputy commander in each of the several districts of this State shall also be subject to the control and direction of the said Commission during the closed season for taking and catching oysters with rakes and tongs during the time the said Commission shall be engaged in the respective districts in locating natural oyster beds, bars and rocks, and shall give the said Commission every assistance in their power.¹

As to the state fishery force, see sec. 37, *et seq.*

An. Code, 1924, sec. 116. 1912, sec. 100. 1906, ch. 711, sec. 98. 1912, ch. 539, sec. 98. 1914, ch. 265, sec. 98. 1927, ch. 610.

113. After the survey or resurvey provided for herein shall have been completed, it shall be the duty of the Conservation Department to lease, in the name of the State of Maryland, tracts or parcels of land beneath the waters of this State, whether within the limits of the Counties or elsewhere, in the area to be opened for oyster culture, according to the provisions of this sub-title; provided, that no tract so leased, if situated within the territorial limits of any County in this State, shall contain less than one acre of land, and if situated in any other place, no tract so leased shall contain less than five acres. It shall be the duty of said Department to require that the tracts so leased shall be as nearly rectangular as is convenient. It shall be the duty of the said Department to demand from each lessee payment of the rent each year in advance. No person shall be permitted, by lease, assignment or in any other manner, to acquire a greater amount of land than thirty acres situated within the territorial limits of any of the Counties, or five hundred acres in any other place; provided, however, that an individual may acquire a tract not exceeding one hundred acres of land beneath the waters of Tangier Sound. Leases of such lands shall be made only to residents of Maryland. The term of such leases shall be twenty years, and the annual rent therefor shall be such sum as in the judgment of the Conservation Department is a proper one and commensurate with the value of the land so leased; provided, however, that no land shall be leased at a less price than one dollar (\$1.00) per acre. If any part of the rent reserved under such leases shall remain unpaid for more than sixty days after the same becomes due, such lease or leases may at the option of said Department be declared void, and in that event the land shall revert to the State and may be leased again in accordance with the provisions of this section. The said Department may, at the request of any lessee, if it shall appear equitable so to do, upon cause shown in writing, cancel his lease as

¹ This section repealed by Ch. 353, 1939. But as Act is subject to referendum vote at the November election, 1940, this section will not be repealed unless a majority of the voters voting thereon are in favor of said Act. If said Act is approved, this section will be repealed as of Dec. 5, 1940.