

to the whole or a part of the lands leased. At the expiration of any lease now in force, there shall be allowed an additional period of 3 years to all such lessees and at the expiration of the said 3-year additional period, the leased bottoms shall revert to public use and anyone desiring to lease the same shall make application in the manner now prescribed by law; provided, however, that the application of lessee shall be considered as having prior right and shall be given first consideration in making such leases. Protests against the leasing of such bottoms after the 3-year additional period shall be filed in the regular way, as now provided by law.¹

Resident part time employee of non-resident owner of land bordering creek, who actively aided his employee to secure lease of oyster land in front of his land, did not justify the refusal of lease by the Conservation Commission, both employer and employee testifying that application for lease was solely on behalf of the employee. *Parks v. Benning*, 171 Md. 326.

An. Code, 1924, sec. 117. 1912, sec. 101. 1906, ch. 711, sec. 99.

114. In case the survey provided for by this sub-title shall not have been completed within one year from April 2, 1906, then it shall be the duty of the Conservation Commission to begin the leasing of barren bottoms in the manner and upon the terms provided in the preceding section; provided, that such leasing shall then commence only in those areas in which the survey provided for in this sub-title shall have been completed.

An. Code, 1924, sec. 118. 1912, sec. 102. 1906, ch. 711, sec. 100. 1912, ch. 539, sec. 100.

115. For a period of thirty days after the said survey shall have been completed, or after any area shall have been opened to leasing under the preceding sections, citizens of Maryland residing in any part of the State, who, at the time of the completion of said survey, or at the respective times of the opening for oyster culture of the several areas, as the case may be, may be owners of land having a water front upon any part of the said areas so opened to oyster culture, shall have the exclusive right to rent any land opened to oyster culture under the provisions of this sub-title, adjacent to their lands. And for an additional period of thirty days after the expiration of the said period of thirty days, all boatmen, residents of this State, who shall be engaged in the business of dredging, scraping or tonging for oysters at the time of the completion of the said survey, or at the respective times of the opening for oyster culture of the several areas, or if said survey shall be completed, or the said areas shall be opened to oyster culture during the closed season for dredging, scraping or tonging, as the case may be, then the person so engaged at the end of the last dredging, scraping or tonging season shall have the like exclusive right in the order of their respective applications, as the same may be received and opened by the Conservation Commission to rent any adjacent lands; provided, that in no event any such landowner, boatman or any other person be permitted to rent or acquire more than thirty acres, one hundred acres, or five hundred acres, as the case may be, dependent upon the situation of the land which is leased or acquired; and provided, further, that no such riparian landowner, as is mentioned in this section, shall be entitled to rent the amount of thirty acres, one hundred acres, or five hundred acres, as the case may be, unless the water front of the land so owned by him, if fronting on water within the terri-

¹ Sec. 2 of ch. 610 of acts of 1927 repealed all laws inconsistent therewith to extent of such inconsistency.