

27. The owner or owners of any land bordering on any of the navigable waters of this state, the lines of which extend into and are covered by the said waters, shall have the exclusive privilege of using the same for protecting, sowing, bedding or depositing oysters or other shell fish within the lines of their own land, and any owner or owners of land lying and bordering upon any of the waters of this state, shall have power to locate and appropriate in any of the waters adjoining his, her or their land five acres for the purpose of preserving, depositing, bedding or sowing oysters or other shell fish, and that any other citizen of the state shall have power to locate and appropriate five acres in any waters in said state, not located or appropriated, *provided*, that ten days' notice in writing shall be given to the owner or owners, occupant or occupants of lands, bordering on said water proposed to be located. The owner or owners, occupant or occupants may have priority of claim, and if they shall fail to locate or appropriate the water mentioned in said notice within ten days after receiving the same, then it shall be open and free to any one under the provisions of this section; *provided*, also, that the said location or appropriation shall be described by stakes, bushes or other proper and visible marks, or metes and bounds, which description shall be reduced to writing, under the oath of some competent surveyor, and recorded at the expense of the party locating or appropriating the same, in the office of the clerk of the circuit court for the county wherein such land may be located; and *provided*, also, that such location and appropriation shall not injure, obstruct or impede the free navigation of such waters; *provided*, that no natural bar or bed of oysters shall be so located or appropriated.

Ibid s 28  
Owners to have  
exclusive privilege,  
&c.

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Owners to have  
priority

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28. If any creek, cove or inlet not exceeding one hundred yards in breadth at its mouth make into the land or lands, or if any creek, cove or inlet of greater width than one hundred yards make into the land or lands, the owner or owners, or other lawful occupant or occupants shall have the exclusive right to use such

Ibid s 29.  
Exclusive use  
of creek, &c.