

said location or appropriation shall be described by stakes, bushes or other proper and visible marks, 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 lands may be located; and *provided*, also, that such location and appropriation shall not injure, obstruct or impede the free navigation of such waters; and *provided*, that no natural bar or bed of oysters shall be so located or appropriated, and that six months' peaceable possession of all locations of oyster grounds, under the laws of this state, shall constitute a good and sufficient title thereto, but should any one, within the six months hereinbefore provided, be charged with locating or appropriating any natural bed or bar, as hereinbefore prohibited, the question may be at once submitted, by any person interested, to the judge of the circuit court in the county where such question shall arise, who, after having given notice to the parties interested, shall proceed to hear the testimony and decide the case, and if said decision be in favor of the party locating said five acres, said decision shall be recorded with the original record of said five acres, and shall in all cases be conclusive evidence of title thereto.

Proviso.

Proviso.

Proceedings
before Judge.

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 creek, cove or inlet, when the mouth of said creek, cove or inlet is one hundred yards or less in width, and when the said creek, cove or inlet is more than one hundred yards in width at its mouth, the said owner or owners, or other lawful occupant or occupants, shall have exclusive right to use such creek, cove or inlet, so soon as said creek, cove or inlet, in

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