

using the same for protecting, sowing, bedding, or depositing oysters or other shellfish 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 protecting, preserving, depositing, bedding, or sowing oysters or other shellfish; 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, thirty days' notice in writing shall be given the owner or owners, occupant or occupants, of land bordering on said water proposed to be located, that 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 thirty 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, 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 in 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 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 questions shall arise, who, after having given notice to the parties interested, shall proceed to hear the testimony and decide the case, and if 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.

23. If any creek, cove, or inlet, not exceeding one hundred yards at low water in breadth at its mouth, make into the lands, or that if any creek, cove, or inlet, of greater width than one hundred yards at low water mark, make into the 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 at low water, 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 making into said land or lands, shall become one hundred yards in width at low

Location of planting ground.

Location by citizen of State

Notice.

Priority.

Location to be marked

Recording of location

Location not to obstruct navigation.

Natural bed or bar not to be located

Trial of contested locations

Id s 24  
Exclusive right in certain creeks, etc. of owners.  
22 Md 880