

Natural
beds.

county and of full age as aforesaid under the provisions of this section; provided, also, that all locations under this act shall be surveyed, marked, described and bounded as is hereinafter set forth; and, provided also, that such location and appropriation shall not obstruct, injure or impede the free navigation of said waters; and, provided further, that no natural bar or bed of oysters shall be so located or appropriated; and such waters or bottom under such waters where oysters will grow naturally in quantities sufficient to be of value and importance to those engaged in catching oysters with tongs, shall be considered natural beds or bars of oysters in construing the provisions of this act; and whenever water or bottom thereunder has been a natural bar or bed of oysters as above construed, and which has become depleted of oysters by the same having been caught or removed therefrom, the said water or bottom thereunder shall not be subject to location or appropriation under the provisions of this act.

Commis-
sioners.

B. For the purpose of definitely determining what waters in Somerset county may be located according to the provisions of the preceding section, there shall be appointed by the governor of Maryland, by and with the advice and consent of the senate, three persons, citizens of Somerset county, (two of whom shall be persons practically acquainted with the business of catching oysters,) who shall constitute a commission and be known as "Oyster Commissioners," who shall serve for four years from the date of their appointment, or until their successors are appointed and qualified, who before proceeding to perform the duties of their office shall go before the clerk of the circuit court for Somerset county and take and subscribe an oath or affirmation that they will faithfully, honestly and impartially perform the duties required of them by this act; and whenever any person or persons who may be entitled under the next preceding section of this act, shall desire to locate and appropriate five acres for the purpose of protecting, sowing, preserving, depositing, bedding or planting oysters, shells or other shell-fish as prescribed in this act, before proceeding to locate or appropriate the same shall first Give
notice.

give notice in writing to all and each of the said oyster commissioners of such desire, naming the waters where the said location is desired to be made; and upon the receipt of such notice, it shall be the duty of the said oyster commissioners, or a majority of them, as soon as practicable thereafter, to visit the waters where such location and appropriation is to be made and carefully and faithfully examine the said waters and the bottom thereunder for the purpose of ascertaining whether or not the same is a subject of location and appropriation as required by this act, and if after said examination said commissioners, or a majority of them, should determine that the said water or the bottom thereunder is not subject to location and appropriation