

Notice.

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, proceed to hear the testimony and decide the case; and if decision be in the 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; provided, also, that if any stakes or brushes used as bounds shall be removed by accident or design, it shall not excuse any person from wrongfully taking such oysters, if he knew the grounds to have been located and appropriated; but any title or pretended title to more than five acres, or otherwise contrary to this section, held or claimed by any person, is hereby declared to be fraudulent and void; provided, that no non-resident of this State shall be entitled to avail himself of the provisions of this section, whether he be sole or part owner of any land in this State.

Wrongfully taking.

Inlets.

SEC. 45. *And be it enacted*, That 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 water, for preserving, deposit-