

CHAP. 711

Relation of
landlord and
tenant.

Section 105. The relation of the landlord and tenant, stated in Section 104, shall have all the incidents attaching to that relation as the same exists under the laws of Maryland, excepting only the following particulars: First, the only remedy of the State for non-payment of the rent of oyster lands shall be the strict enforcement of the provisions set forth in Section 98 of this Act. Upon the non-payment of any rent for the time therein mentioned it shall be the duty of the Board of Shell Fish Commissioners, after a written notice of not less than ten days to the lessee, to declare the lease vacated by stamping the word "void" in distinct letters across the description in the register; second, land leased under this Act shall be used only for the purpose of planting and cultivating oysters; third, no right shall exist to redeem or purchase any land of the State so leased; fourth, any other modifications caused by the provisions of this Act.

Ground leased
to be plainly
marked.

Section 106. The commissioners shall at once notify the lessee of the record in the register required by Section 104, and the lessee shall as soon thereafter as practicable, not exceeding thirty days from the receipt of said notice, cause the ground designated as leased to him to be plainly marked out by stakes, buoys or monuments, under the supervision of the commissioners. At least four of such stakes, buoys and monuments shall have the initials of the lessees plainly marked upon them, and such stakes, buoys or monuments shall be at all times during the existence of said lease continued by said lessee or his legal representative.

Not to apply to
land owned
by private
persons.

Section 107. This Act is not intended to apply to any lands owned by private persons, the bounds of which extend below low water into or beneath the waters of this State. This Act shall not be so construed as to apply to any creek, cove or inlet, less than one hundred yards in width at its mouth at low tide.

Who may
become
lessee of said
land.

Section 108. Any person who has, prior to the passage of this Act, lawfully appropriated or taken up any land in this State, for the purpose of planting, bedding or cultivating oysters thereon, may become a lessee of said land for the term of twenty years from the passage of this Act, with all the incidents, including the payment of the rents, of the leases contemplated by this Act, provided such person gives