

description shall be reduced to writing under oath, and recorded at the expense of the party, in the office of the Clerk of the Circuit Court of the proper county, and that the said location and appropriation shall not injure, obstruct or impede the free navigation of any navigable waters; but no such location or appropriation shall interfere with the rights reserved by sections twenty-three and twenty-four of this act.

Exclusive right.

23. That if any creek, cove or inlet, not exceeding one hundred yards in breadth at its mouth, makes into the land or lands, the owner or owners, or other lawful occupant or occupants, shall have the exclusive right to use said creek, cove or inlet, for depositing, planting, bedding and sowing of oysters and other shell fish, although such creek, cove or inlet may not be included in the lines of any patent.

Penalty for taking embedded oysters.

24. That any person who shall take with a drag, dredge, scoop, rakes, tongs or any other instrument, or by any means or method whatever, any oysters or other shell fish embedded, planted, or sown, in accordance with the provisions of sections twenty-three and twenty-four, or shall carry or attempt to carry the same away, shall, on conviction thereof in a court having jurisdiction in such case, be deemed guilty of felony, and shall be sentenced by the Judge of such court to the penitentiary for a term not exceeding five years, nor less than one year, at the discretion of the court.

Oyster fund.

25. That all money arising from the proceeds of the issue of licenses or from fines, penalties or forfeitures, imposed under this Article, shall by the Comptroller be placed to the credit of the "Oyster Fund;" and the Comptroller is hereby required in his annual report hereafter to state particularly the receipts and expenditures on account of said fund, and its conclusion at the time of making said report.

Not to apply.

26. The provisions of this bill shall not apply to any person or persons who buy the oysters from any party or parties authorized and licensed to catch oysters with tongs or rakes in any of the waters of this State.