

pensation of said clerk shall not exceed seven hundred dollars for acting as clerk to the commander.

Locating Oyster Lots,

1894, ch. 380.

46. The owner of any land bordering on any of the navigable waters of this State, the lines of which extend into and are covered by said waters, shall have the exclusive privilege of using the same for protecting, sowing, bedding or depositing oysters or other shell fish within the lines of his own land ; and any owner 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 lands one lot of five acres for the purpose of protecting, preserving, depositing, bedding or sowing oysters or other shell fish ; and any male or female citizen of full age, of the county wherein he or she resides, shall have power to locate and appropriate, and hold one lot of five acres, and no more, in any waters in this State not located or appropriated ; provided, thirty days' notice in writing shall be given the owner or occupant of land bordering on said waters proposed to be located, that the owner or occupant may have priority of claim ; and if such owner or occupant 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 and with the name of the owner on a board fastened to a pole or stake on or within the appropriated oyster land, or by the proper and visible 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 for the county wherein such land may be located ; and provided also, that such location and appropriation shall not injure, obstruct or impede the free navigation of said waters ; and provided, that no natural bar or bed of oysters shall be so located or appropriated, and that twelve 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 twelve months