

It further appears, that *Thomas Harrison* had, on the 4th of June, 1763, leased a certain lot of land in Baltimore town unto its commissioners for ninety-nine years, renewable for ever, reserving certain rent, upon which the inhabitants had erected a large building calculated for a market-house and other public uses, which lease the General Assembly by law ratified and confirmed. (*h*)

Some time after which *Thomas Harrison*, by his petition to the General Assembly, stated that he had accomplished his undertaking by converting the said marsh into firm ground, which had been laid out as an addition to Baltimore; 'and that the altering and laying out anew the said streets, lanes, and alleys, and opening a canal, leading from Baltimore street to the basin, would render the adjacent lots more convenient, conduce much to the advantage of that part of Baltimore town, and be the means of effectually draining the said marsh, without occasioning any detriment to the public.' Whereupon it was enacted accordingly, that the ground should be laid out anew; and that the canal should be opened. (*i*) After which an act was passed by the Legislature for the appointment of port wardens for Baltimore, who were directed to make a survey of the port, and of the course of the channel; and it was declared, that no wharf should be made, altered, or extended to the line of the channel, since commonly called the port warden's line, without their permission. (*j*)

From these legislative enactments it will be seen, that the making of wharves was one of the means by which this marshy ground, so added to Baltimore, was to be reclaimed; and that the wharves, thus required to be made, so far as they extended across and in front of the end of any streets, or other portions of that ground, so dedicated to the use of the public, must have been considered, like the streets themselves, public and free to the use of all, without paying toll of any kind; that the canal spoken of as 'leading from Baltimore street to the basin,' the lots adjacent to which would thereby be rendered more convenient; and as being 'the means of effectually draining the said marsh,' must have been a kind of *cul de sac*, or dock extending from the basin up into a wide space of it, with a street or landing place on each side; and as the marshy ground was to be 'secured next the water by wharves,' it is evident that such a canal or dock would give a

(*h*) 1765, ch. 34; Hanson's Laws, 1773, ch. 8.—(*i*) November, 1779, ch. 20.—
 (*j*) April, 1783, ch. 24.