

File No. 20086, continued.

Section 18, which is Section 11 of Article 13 of Baltimore City Code 1906, vested in the Mayor and City Council of Baltimore the right to grant extensions of wharves, piers, bulkheads and the Harbor Board was given authority to grant this permission when the City Council is not in session.

No. 436 of the City Charter says:

"No alteration, extension or removal of wharves, piers, bulkheads or pilings shall be made in the Patapsco river or tributaries without consent of the Harbor Board.

Williams v. Baker, 41 Md. 523. B. & O. R. R. Co. v. Chase, 43 Md. 24. Horner v. Pleasants, 66 Md. 477. Classen v. Chesapeake Co., 81 Md. 258."

McMurray vs. Baltimore, 54 Md. 103.

RIPARIAN RIGHTS: "A term used with regard to riparian proprietors, said to mean access to the navigable river in front of his lot, the right to make a landing wharf or pier for his own use or the use of the public, subject to the general rules imposed by the legislature for the rights of the public."

34 Cyc. 1791.

"In cases where the title of the riparian owner does not include the soil under navigable waters, and he has no right to wharf out to the point of navigation, it has been held that out violating any rights of the riparian owner."

1st Dillon on Municipal Corporations, page 495.

"At common law the fee in all land covered by navigable water, that is, water in which the tide ebbed and flowed, was in the King."

29 Cyc. 355.

"The Lord Proprietary held dominion of Maryland and property of the soil which he could sell and dispose of in the same manner as any other person."

Howard v. Moate, 2 H. & J. 449.

"The King of England has the right to grant land covered by navigable waters subject to the right of the public to fish and navigate them. The former proprietors of Maryland acquired the same right of disposing of land covered by navigable waters within the province, subject to the like restrictions under charter by which the province was granted to them by the King, as the King had prior to the charter. This right is now vested in the State."

Brown v. Kennedy 5 H. & J. 156.