

File No. 20086. continued.

The City of Baltimore has all the rights and powers in those parts of the Patapsco river which lie within the corporate limits of the City, which the State had.

See City Charter, Section 6, sub-section 8.

See Boundary of Baltimore City.

"Grants of submerged lands of a harbor are frequently made to municipalities, usually upon trusts and subject to public duties in the furtherance of navigation and commerce. These grants, being made to agencies of the State and in the furtherance of the trust upon which the State holds the submerged lands, are not open to objection.

1st Dillon on Municipal Corporations, page 496.

Respectfully submitted,

(Signed) Frank Driscoll,
Assistant City Solicitor

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File No. 20086.

Baltimore, May 4th, 1916

Hon. S. S. Field,
City Solicitor.

Dear Sir:-

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Replying to your verbal request for an opinion upon the right of the city to charge for and issue permits to riparian owners for the construction of piers, docks or wharves in the Harbor of Baltimore, I would say while the Harbor of Baltimore being navigable water was owned and controlled by the State, subject only to that quantum of control ceded to the Federal Government by the Constitution, the State, by the Act of 1745, Chapter 9, Section 10, endowed riparian owners, as an encouragement to the improvement of the Harbor, with an inchoate franchise therein, to build piers, docks or wharves into