time of high Tides within seven years past that he has passed both upwards & downwards thro' the channel round Philpots Hill in flats and wood boats loaded but that he never did pass up or down in a South Direction from the West end of Philpots Hill in such Vessels loaded, nor did he ever attempt passing in that direction with such Vessels, and that the reason for not attempting it was because of the mud bank on the out side of it, This Deponent further sayeth that at the time when he was first Acquainted with the Navigation of the channel round the end of Philpots Hill he verily believes the depth of Water in the same was about five feet at middling tides, but that he never measured the depth thereof, nor does he suppose that it was all uniformly of the same depth, but in some places deeper and in some places shallower And that he thinks it was nearly of the same depth about fifteen years ago. This Deponent further sayeth, that it is about twenty years since he first Observed the mud bank on the outside of the channel in front of Philpots Hill to appear uncovered or dry, and that when it was so it was occasioned by the Winds hanging to the Westward. that he never did pass himself up or down thro' the inside channel round Philpots Hill at any time when the bank on the outside was dry or uncovered, but that he has seen Canoes & Battoes pass thro' it at such times, but no larger Vessels, and that in attempting to pass thro' it in Battoes & Canoes when the bank was dry, he has some times got a Ground owing to the shallowness on the Water — this Deponent also sayeth that the mud bank on the outside of the channel is always covered with the Water at common tides that he has never Observed any dry Ground between the two Wharves Extended by Major Yates at common tides — This Deponent also sayeth that he thinks the Bason of Baltimore between Mr Buchanans Wharf and the lower end of Philpots Hill hath since he first knew it filled up generally near five feet in depth, he also sayeth that he thinks all the places between Mr Buchanans Wharf and the lower end of Philpots Hill have nearly filled up equally — but that he does not believe the Mud bank on the outside of the channel round Philpots Hill hath filled up or been raised in the same Degree since he knew it as the Other parts of the Bason from Mr Buchanans Wharf to the lower end of Philpots Hill — this Deponent also sayeth that he never saw or Observed any flags or rushes growing upon any part of the bank between the two Wharves extended by Mr Yates — This Deponent also sayeth it is his Opinion that Mr Harrisons raising the Marsh Above was a principal Cause of Choaking the channel round by Philpots Hill — This Deponent Also sayeth that the Island called Bonds Marsh when he first knew it, did not appear to be more than five or six feet square and had flags or Marsh Grass growing on it, and its distance about one hundred yards from the lower the lower end of Harrisons Marsh, that it has since grown he thinks thirty yards towards said Marsh but Chiefly in a South Direction — this

Deponent

Deponent further sayeth that from Fells point to Mr Buchanans Wharf both Above and below the two Wharves extended by Thomas Yates the space is usually covered with Water at common tides.

William Lock —

Sworn before

Geo. Goulds Presbury —

The Deposition of William Mc Cubbin of Baltimore County about forty five years of age, who being duly sworn on the holy Evangelists 4th of April 1785 on the tract of Land called Rogers's Inspection — Deposeth and sayeth, that he was born, as he believes, within about four Miles from Baltimore Town, and has always Lived in the Neighbourhood thereof, save between two & three years that he lived in Philadelphia — that in the year 1754 he was boarded in Baltimore Town whilst at School, at the house of John Frazer, a ship carpenter who Lived by the side of Jones's falls, and that whilst he boarded at said Mr Frazers house, he the said Frazer built a flat & a Schooner between the place where Moores Mill now stands, and a House belonging to Mr John Moale on the West side of Jones's falls below the church, and that he remembers having passed down in said Schooner when she was Launched thro' Jones's falls into the Bason, that he thinks the said Schooner was so large as to draw about four feet of Water when unloaded, that Mr Frazer found considerable dificulty in carrying said Schooner down Jones's falls owing to several flats in Jones's falls, one of which he remembers was above Griffiths Bridge, and other above where Joseph Bankson lived near Philpots Bridge that when the said Schooner was brought down as low in the falls as Philpots Hill, she passed into the channel round under Philpots Hill, which at the West side thereof forms a kind of Elbow — and that the people were employed some days in getting out the said Schooner from where she was built to the East side of Philpots Hill at the mouth of the falls, which he apprehends was nearly about where the lower wharf Extended by Major Yates from the lower or East side of Philpots Hill now Appears — This Deponent further sayeth that whilst he lived at Mr Frazers he did several times pass down and up Jones's falls in Canoes which went a fishing, and that at such times he always passed out & in thro' the channel round Philpots Hill in the same course as he had gone down in the Schooner Aforesaid, but that he does not recollect ever to have passed out or into Jones's falls over the bank at the West end of Philpots Hill, nor that he ever attempted to do so, tho' he Remembers to have seen tides so high that it could be done. he further sayeth, that he does not remember ever to have seen any scows or flats pass out or in over the bank at the West side of Philpots Hill — This Deponent further declares, that since he first knew the Navigation of Jones's falls he did not know of any other channel for passing into or out of the same besides that round under the end of Philpots Hill, until the River was turned into a new channel near the lower bridge on Water Street, which he believes was occasioned by the carrying away of Griffiths bridge. that he remembers, having before the breaking out of the said new channel on the north side of Bonds marsh or Island to have Observed a Drain or passage, which was between the lower end of Harrisons Marsh & Bonds Island