The Plaintiff further offered in evidence by Col. Thomas Sheppard, that he was appointed in 1813, one of a Committee to ascertain the practicability of remedying the injury proceeding from the Waters flowing down Arch street and Washington street - that the Committee were of opinion that those waters might be wholly diverted into their natural Channel - but the recommendation was not regarded by the City; and that this was a matter of great astonishment to him and others, that this was not done by the City - that the City then ordered by the Ordinance & resolutions aforesaid, the ditches and mounds at V and M, designated on the plat in the cause, and that these dams and ditches produced all the mischief, the committee of which Witness was one, wished to follow the natural course, to the western Cove, which the City are now filling up at a great expense. The Plaintiff further offered in evidence by William Baker, that he had lived near the property in controversy for 32 years - that there was formerly no marsh whatever, the hills being in grass - the water of the eastern cove was very deep, by far the best in the City - that in 1808, Captain Vickers brought the Ship Hamilton to the Wharf, now owned by William Dawson, near to Q Q, at twelve feet Water, at the Wharf which is now fast land - In 1802, the Water at Curtis' Wharf, next to Craig & Barnes' wharf, was from 19 to 20 feet; that Witness measured the depth at Dawson's, and found it 15 feet, which is now dry land - that Vessels of 450 tons, used to load at Craig Wharf: the deposit of mud, clay and gravel, is at this time enormous - Vessels of much burthen could not now go there in fair Water. The Plaintiff then offered in evidence by James Beacham, that in 1816, the water at the Plaintiffs' Wharf, was at least 17 feet, and much the same at Flannagans - the depth of Flannagans at this time is reduced to about two feet at high tide. the Water at Plaintiffs' wharf was about 11 feet in 1826 - the Water at Plaintiffs' wharf, close to it is somewhat deeper than at some distance out, where there is a bar of sand and gravel wholly impassable by Vessels of such burthen as might lay close to the wharf - that in the month of June 1826 Witness having occasion to launch the Frigate Baltimore, at the wharf of the Plaintiff, was compelled to have a narrow channel, of about 25 feet long, by 10 feet deep, dug, making the depth also 25 feet for the reception of the Vessel, which cost Witness between 200 and $300, and which sum was paid by him to the City of Baltimore, for the use of their mud machine - that this channel in the two years since it was dug, has filled up at the rate of five feet in two years, but that a channel of this sort would fill up sooner than a level bottom - that before the injury to the water in the eastern Cove occurred, William Flannagans Wharf and lot sold for $8,000 - that witness gave for said lot in 1827 only $900 - that if the said Water lot had remained with good Water, Witness would have given in 1827, $4000 for it - that this lot is 80 feet front by about 200 feet deep, and that the Plaintiff's lot is 220 feet on the Water by 436 feet deep to Wolf street, that the Plaintiff expended $6000 in making the two piers delineated on the plat, but that said piers delineated on the plat but that said piers are now of much less value - that Craig and Barnes paid for this lot $25,000 in the year 1815 - that it was a very great bargain - that the Plaintiff's lot was worth, rather more than 3 times Witness's lot even was in proportion, because the Plaintiffs' was always a deeper water - That the property is now worth, he thinks, from ten to twelve thousand dollars, but that if the water had remained to this day in the state it was, when Plaintiff purchased it, the property would now sell for $20,000, this in

(continuing