the health of that part of the Town would have been promoted by properly grading and paving the streets the water more concentrated and carried off through Ann & Washington Streets might have been carried off and would have gone off through different streets and been thus discharged into the river at different points & produced no injury. the water now thus collected did formerly pass off through four different streets running from different directions and then produced no injury. Witness heard no complaints then about the injury to the navigation by reason of these waters the witness stated that he had known the grounds and streams since 1784 that the western shore contained covers from thirty to forty acres of land, and if the waters from the points aforesaid had been suffered to pass down its natural channel and discharge itself there, it would never have done any injury to the navigation that the navigation to the upper harbour was injured not by the water, or deposit by it carried down, but by Jones' Falls from the hills to the east of Washington Street, the ordinances have diverted the water from its natural courses and directed it also into Washington Street when it is directed to Q.Q. by the alleys or narrow, it would naturally have discharged itself to the eastward of Gouldy Street, or through Gouldy Street there might have been some some slight deposit from Alisanna Street near the Plaintiffs wharf but nothing to do injure, nothing comparable to the Jarrett deposit. Witness for a long time was superintendant of the streets in the East of the Town an estimate was made of the expense of conducting the waters referred to, off to Harris' Creek & to the best of his recollection the estimate made the cost is a sum of $6.000 - it was made by William Dailey. The plaintiff further offered evidence by John Gordon that in his opinion it would have been practicable to have diverted more than two thirds of the water into Harris' Creek and that he was appointed by the City to ascertain the practicability of so doing by an actual survey and to make an estimate of the expense, that the expense was estimated at $10.000 no tunnel or canal to Harris' Creek was ever made, but the City proceeded to dig ditches and to erect dams as delineated on the plats which ditches and dams diverted the waters from their natural channel, down Ann Street to Washington Street, and other streets, to Q.Q. on said plat. Witness always understood, that the entrances at the end of Market Street and Ann Street, designated on said plats by the letters U. and F. are City property, and by the descent of Alisanna Street at the intersection of said Street & Ann Street, the waters flowed east down Alisanna Street instead of south at the letter U. The Plaintiff further offered in evidence by Col. Thomas Shields, that he was appointed in 1813, one of a Committee to ascertain the practicability of remedying the injury proceeding from the waters flowing down Ann Street and Washington Street that the committee were of opinion that those waters might be mostly diverted into their natural channel, but the recommendation