which he thinks for the last time, in the year 1823 or 4, but upon being delayed by the shallowness of the water, when loaded had some difficulty in getting out, and has not returned. The Plaintiff also offered evidence that his piers were built in the year 1816 and that they cost $6000. Whereupon the said Defendants prayed the opinion and direction of the Court to the Jury upon the said evidence, that the plaintiff is not entitled to recover, upon the ground that he has sustained no other injury than such as is stated in the declaration, viz. of the shoaling of the water, and upon the evidence that there has also been a permanent injury done to the wharf itself in addition to the impediment of the navigation to it, which opinion and direction the Court refused to give to the Jury, and referred them to the opinion contained in the first bill of exceptions, which were accordingly again given to the Jury as they are in the first bill of exceptions stated, to which last opinion and direction of the Court to the Jury, the defendants by their Counsel prayed leave to except, and that the Court would sign and seal this, his bill of exceptions according to the form of the statute in such case made and provided, and which was accordingly done this fourteenth day of May in the year of our Lord one thousand eight hundred & twenty eight.

Stevenson Archer (Seal)

Barron survivor of Craig
vs
Mayor & City Council

P. At the trial of this cause, upon the evidence offered to the Jury as detailed in the preceding Bills of exception, the Defendants prayed the opinion and direction of the Court to the Jury. 3. That as the present action was brought on the 21st of March 1822, and as no evidence has been offered to show that any particular losses before the institution of this suit was prevented from going to said wharf by reason of the diminished depth of the water in the said Cove or at or near the said wharf, the Plaintiff has not shown himself entitled to recover in this action any special damage for the type of wharfage at said wharf, which opinion and direction the Court refused to give and the Defendants in their behalf prayed leave to except and that the Court would sign and seal this their bill of Exceptions, according to the form of the statute in such cases made and provided, and which is accordingly done this fourteenth day of May in the year of our Lord, one thousand eight hundred and twenty eight.

Stevenson Archer (Seal)

Barron survivor of Craig
vs.
Mayor & City Council

P. At the trial of this cause, upon the evidence offered by the Plaintiff to the Jury, as detailed in the preceding Bills of exception, the Defendants prayed the opinion and direction of the Court to the Jury, that no special damage is sufficiently charged in the declaration that the Plaintiff in the pleadings in this case is therefore not entitled to recover, which opinion and direction the Court refused to give, and the defendants by their Counsel, prayed leave to except, and that the Court would sign and seal this