

File No. 27866

Baltimore, February 18, 1920.

Hon. Howard Bryant, President,
Members of the Board of Estimates,
City Hall, City.

Gentlemen:

13501 I notice in the "Sun" of this A. M. that the Export and Import Board of Trade are planning to contest in Court the rights of the Board of Estimates to fix a franchise or Minor Privilege charge on reclaim land to the bulkhead line.

Judging from the article, the Board of Trade must be of the opinion that a franchise charge is fixed on all land under water, deeded to the owner of the fast ground immediately adjacent. This position, as far as I am aware, has never been taken by the Board of Estimates. The Board has held that the Patapsco River, and its tributaries, are the same as any public thoroughfare on dry land, such as public streets; and that they have a right to control the bulkhead and filling in of same, out to the bulkhead line established by the National Government, and all sections of the harbor where the abutting property owner only controls the riparian rights.

As you know, the National Government changes the pier head and bulkhead lines, through the War Department, from time to time, and their control and interest is only for the purpose of keeping open all navigable waters of the United States for War Department purposes, and as a jury, acting independent of City, State, or States in cases where navigable waters are the border between them, so that the National Government's interest will not be jeopardized.

The Board of Trade certainly cannot expect the City to permit individuals to make fast land, by simply constructing a bulkhead and filling in same, thereby controlling property which would at least be worth \$7,000 an acre, for their own private purposes, without paying for the privilege they enjoy.

At this point, I might add that we never charge $\frac{1}{2}$ per square foot for these privileges. The franchise or Minor Privileges charges