

be riverian proprietors or holders of the ground immediately in rear of the lands of the Crown forming part of the bed of the River or on its shore where the disputed boundary was situate, but in the present case, a Lease has been ordered to Laporte, and the land in rear has been, as before stated, conveyed to the Messrs. Fraser by the Ursulines, so that it is not in the power of the Government to sell the beach Lot to the owners of the land in rear, without invalidating the order in Council in favour of Laporte. The judgment of the Court of Appeals has designated a certain boundary purporting to be the high water mark, leaving the Assignees or Tenants of the Ursuline Nuns holders of the land in rear. This judgment of the Court of Appeals appears to be still liable to be called in question by an appeal to the Judicial Committee of the Privy Council, either on the part of the Government or on the part of the Ursuline Nuns.

At the time the lease was ordered in favour of Laporte, not only the beach lot bounded on the land side by the high water mark, but also a portion of the land up to the Cape was considered to belong to the Government, and consequently no severance of the property adjoining the bed of the river from that within it was contemplated.

The Committee in the order now under reconsideration, finding the Government under a pledge to give a Lease to Laporte, and finding also that by the judgment of the Court of Appeals, and the act of the Ladies of the Ursuline Convent the property unfortunately severed, and the question of boundary still open, and tenants under the Nuns still insisting upon their right to the land down to low water mark, and Laporte or his assignee still insisting on the right to the shore up to the Cape by way of carrying into effect the order in Council in favour of Laporte so far as it could be done, and for the purpose of leaving the