

crossing a river . . . forming or crossing a boundary line between local municipalities . . .

Then by s. 437 "The council of the corporations whose duty is to erect and maintain bridges over rivers, streams, . . . forming or crossing a boundary line between counties shall have joint jurisdiction over such bridges."

From these enactments it seems reasonably manifest that the Legislature regards river boundaries not as mere mathematical lines, but visible and actual boundaries similar to roads on land.

"Section 446 (1) "The council of a county may by by-law assume as a county road any highway, or as a county bridge any bridge within a town not being a separate town or within a village or township . . ."

"(3) The council of a county may also by by-law assume as a county road any county or township boundary line."

These provisions may possibly be held not to apply to rivers which form boundary lines, because it may be argued that the highways which the sections have in contemplation are to be assumed as "county roads" and therefore rivers cannot be included because they are not roads; if the word had been "highways" there can be little doubt that rivers which are highways would have been included. On the other hand, it may be said that these provisions extend to "any highway" and "any boundary line," and therefore where any boundary line or highway is a river it may be assumed by the county as if it were a road and jurisdiction exercised over it "as over a county road," *mutatis mutandis*.

We may also refer to the Beach Protection Act, R.S.O. c. 244, s. 11, which *inter alia* provides that no person shall remove any stone, gravel, earth or sand from the bed of any river, stream or creek running between two municipalities . . . under which a drainage pipe or water main has been laid by or at the instance of a municipal corporation so as to endanger the safety of or injure such pipe or main without the consent of the council of the municipality or municipalities within whose limits the stone, gravel, earth or sand is to be taken." This enactment appears to assume that rivers between municipalities may not