

that Nobleman ; but recently, viz., on the 13th December, 1841, a report was made by the Executive Council, in which that body after stating,—*and Your Memorialists here beg to call Your Lordship's attention to the marked language of the Executive Council when speaking of Riparian proprietors*,—"In the disposal of the other beach lots at l'Ance des Mères, the Council were enabled to put an end to all litigation and dispute about boundary by ordering sales of the beach lots to the persons claiming to be Riparian proprietors or holders of the ground immediately in rear of the lands of the Crown forming part of the river or on its shore where the disputed boundary was situated,"—go on to say, but in the present case, (that of Your Memorialists,) a lease has been ordered to Laporte, and the land in rear has been, as before stated, conveyed to the Messrs. Frasers 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"—and finally it was recommended, "that a sale to Laporte or his assignee of the beach lot bounded on the land side by the Ursuline Nuns or their tenants wheresoever the boundary may happen to be, be made in conformity with the last order in Council,"—(that of 11th June 1841.)

That there are certain rules relating to the right of Riparian proprietors which stand admitted on all hands and which have too important a bearing to permit of their being passed over in silence :—Where a river constitutes, as in this case the boundary of a lot of land, it is not competent to any one to interpose between the Riparian proprietor and the waters of the river, any work whereby this, his natural boundary, can be taken from him—the consequence is, that if a grant be made to any one of the interval between high and low water mark, supposing that the