

direction to utilise natural boundaries seems to have been of general application.

In the *Queen v. Meyers*, 5 C.P., Macaulay, C.J.C.P., says, at p. 351: "When the territory now forming Upper Canada was devoted to settlement, the use of *all streams* practicable for navigation (if not already the common right of all His Majesty's subjects throughout the Empire as a national interest) may be justly considered as dedicated to the public use upon the principles of—first, the civil and afterwards the common law, so that, although not pre-occupied by public use, they are to be looked upon as open to the public."

This remark applies to streams "practicable for navigation," and by that he means, as other parts of his elaborate judgment in the case shew, streams that are susceptible of use for travel or transportation of goods, even though such streams might not be tidal, which alone technically are navigable rivers according to the Common Law.

But if that may be said of streams generally, it may be surely said *a fortiori* of those rivers or streams expressly dedicated by the Crown to form municipal boundaries.

In order to consider the status of river municipal boundaries it seems proper to take into account the ordinary, but, it must be admitted, not the universal method of laying out townships; and we find that, with comparatively few exceptions, there is a road dividing adjoining townships from each other. In some few cases it may be found there is no road but a mere mathematical line, but these appear to constitute exceptions to the general rule. The township line or road is usually indicated by two parallel lines which divide the adjoining townships from each other. Very often it has been found that "the township line" thus "laid out" or indicated in the Government survey or map is impracticable for travelling but we need hardly say that the traversability of the road so "laid out" does not affect the question of whether or not it is the highway between the townships: see *Badgley v. Bender*, 3 O.S. 221, and we find Acts of the Province of Canada passed to remedy such difficulties and to provide for the substitution of some other road in the place of the one