

# Crown ownership of “navigable” waters

The Crown owned the beds of all waters influenced by the ebb and flow of the tide – “arms of the sea”

Also known as “royal rivers”

Became known as “navigable rivers”

“[A]lthough the king is the owner of this great, coast, and as a consequent of his propriety, hath the primary right of fishing in the sea, and creeks and arms thereof, yet the common people of England have, regularly, a liberty of fishing in the sea, or creeks or arms thereof, as a public common of piscary, and may not, without injury to their right, be restrained of it, unless in such places, creeks or navigable rivers, where either the king or some particular subject hath gained a propriety exclusive of that common liberty.”

- Sir Mathew Hale