

Young v. Harrison, 6 Ga. 130 (1849)

Three kinds of rivers in Georgia:

1. Wholly and absolutely private property
2. Such as are private property, subject to the servitude of the public interest, by a passage upon them

Distinguishing test between the two is whether they are susceptible of use for a common passage

3. Rivers where the tide ebbs and flows, which are called arms of the sea

But, riparian property owners hold “no property in the water itself, but a usufruct while it passes along.” *Hendrick v. Cook*, 4 Ga. 241 (1848).