

This fact can be an action against public  
Trustees, who may be appointed by the municipal  
Corporation. It was for a damage to real  
property. If the Trustees do not exercise their  
jurisdiction the consequential injury gives no  
right of action.

In this case express power was given  
to the Mayor and City Council to open pav  
and grade streets.

The general principle is also recognized  
Harman vs Tappan &c 1 East 555. 561  
Sutton vs Clarke... 1 Ser & Lorr. 299.

The Court below erred in treating these  
Defendants, as individuals acting for their  
own benefit. They are not like individuals  
not volunteers, who are responsible for  
the unforeseen consequences of their acts.

Bolton vs Croxther - 9 Ser & Lorr 227

The cases in the Books are like  
the human family, they have many points  
of resemblance yet their features are not  
all alike.

Hall vs Smith &c } 9 Ser & Lorr 357  
Hall vs Bellington } N. 360

Key vs Commissioners of } 15 Ser & Lorr  
Lenses }