

The right said to have been enjoyed here, is not an exclusive right, it is qualified by the rights which the public have in the same thing - his right is not only in common with individuals, but is subject to the use of the public, and as such, whenever for public purposes a change is necessary, it may be done, without entitling the party to compensation.

2. The corps in the exercise of these powers act as the agents of the sovereign power, and if they act bona fide no action will lie agt ^{them} of this sort, though they may not have acted judiciously.

4 Chanc & L. W 27 - 4 Tenn Rep 794 - 1 Sey's Low 298

9 Sey's Low 327 - 257 - 2 Solm's Rep 283.286 - 17 Ham 439 ⁴⁵⁷

2 Caines Rep 312-17-18 - 8 Cowen 146

This is always the case where a trust is conferred to public agents, with a discretion as to its exercise - merely ministerial officers are differently situated -

This corporation in reference to the navigation streets, &c of the city are not to be regarded as a private corporation - they have no power of them except as the agents of the public - in all they do they act as public agents, and not as a private corporation dealing with their own property.