

den of any kind has been or will be imposed upon his property or upon him by the city acting upon the measures he attacks, or that, in carrying them into effect, his property will be deteriorated in value, or that he or his property will, in the slightest degree, be inconvenienced, prejudiced or in any way affected.

In fact, so far from showing that his rights have been in any way or to any degree prejudiced, interfered with or affected, plaintiff does not even allege it, contending himself with the lofty statement only that he is interested in the good administration of the city, and by inference, that the price which the Legislature has decreed the city was to pay for the land required, was not an economical one for the city, but the reverse. It is, moreover, by no means clear that if plaintiff had his demand granted and the defendant were obliged to proceed to the widening and acquisition under the general dispositions of its charter as to expropriations, that the city could emerge from the process at a less cost than the \$13,000, provided by the Legislature, taking into consideration the evidence in the case as to the values, areas and depths of the properties affected in view of these general dispositions. It is needless, however, to dwell upon this aspect, regarding the case from the point of view I do. To be a plaintiff at all, plaintiff must have an interest, present or eventual. Article 77 of the Code of procedure says: "No person can bring an action at law unless he has an interest therein; such interest, except where it is otherwise provided, may be merely eventual."

It is clear then that the plaintiff, not being interested in the legal sense, suffering no loss in any way, or inconvenience or prejudice, having none of his rights as proprietor invaded diminished or even threatened by the measures he complains of, has no right to complain, ir-