

power

to be granted by the Legislature, if they do not Chancery will
interpose - and the Le have not the power without making due
compensation

4. But if the Cor^{ps} have the power by or without the authority of
the Legislature, and the complaint of the individual is frivolous
the Chancery might refuse to interpose

5.

6. In principle the Law recognizes no distinction between
a direct, and indirect injuries to private property for
the public good, and the greater the good, the stronger
the claim to compensation

7. The Social compact the highest of all powers require
that in such cases that a fair compensation should
be made

8. There is no distinction between injuries done by the public
and by individuals, though there is a difference
in the mode of redress

The Cor^{ps} is not the agt of the State, but is a body that
may be sued

9. what would have been the liability of the owner of the
Stream if they had diverted the stream, the same is the liability
of the Cor^{ps}

10. The Legislature could confer no power not possessed
by themselves -