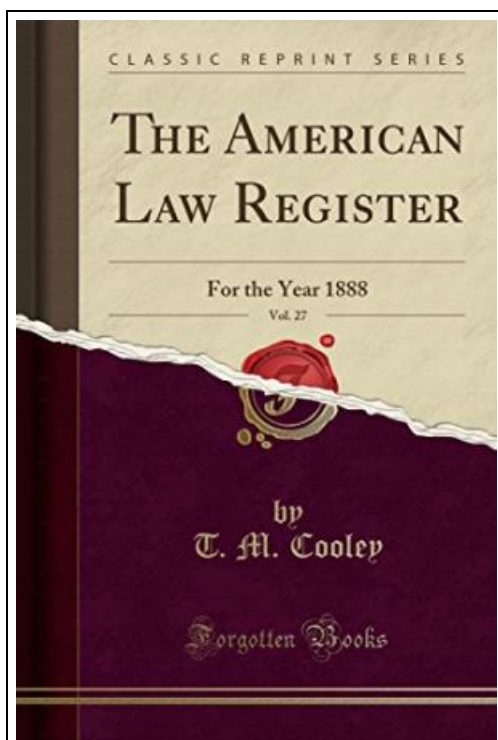


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Forgotten Books, 2017. Paperback. Condition: New. Language: English . Brand New Book \*\*\*\*\* Print on Demand \*\*\*\*\*. Excerpt from *The American Law Register, Vol. 27: For the Year 1888* Considering our Pennsylvania decisions upon this question of damages, this principle must be borne in mind for example, under the General Railroad Law of 1849, where any portion of a man's land was taken, the injury to the remaining land was not *damnum absque injuria*, because the statute provided a remedy for such injury, but where no land was taken a similar injury to a neighbor was *damnum absque injuria*, because the statute only provided a remedy where one's land was taken; hence the intention of the Constitution of 1874 was to provide a legal remedy where no portion of one's land had been taken to prevent that being *damnum absque injuria*, which, under the earlier statute of 1849, had been so. Accepting Mr. Justice Swayne's definition of the maxim as correct, the theory that the word injured in the Constitution means a legal wrong in the sense that the word legal means the common law only, is not sound for the words remedy and wrong are correlative terms, and instead of the legal wrong existing without the remedy, it is the existence of the legal remedy that creates the legal wrong. Now, the Constitution, by providing the remedy, establishes the legal wrong, when any man's property is injured, compensation shall be made. About the Publisher Forgotten Books publishes hundreds of thousands of rare and classic books. Find more at [This book is a reproduction of an important historical work. Forgotten Books uses state-of-the-art technology to digitally reconstruct the work, preserving the original format whilst repairing imperfections present in the aged copy. In rare cases,...](#)



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