

executed works were directed to be made, is not such a final judgment of this body politic itself, as precludes this Court from taking cognizance of the matter, and determining, whether the application of the funds, to defray the expense of such works is an expenditure for corporate purposes within the true meaning of the Act of incorporation or not.

The next ground of defence is, that the extended works complained of, are altogether within the District of Columbia; the government of which, as regards this matter, being independent of, and alien to this Republic, this Court, therefore can have no jurisdiction of the matter. It is said, indeed, that a judgment has in fact been pronounced by a legal and competent tribunal of the District of Columbia; but, that is of no importance, according to the broad ground taken by the defendants; for, if this Court has no jurisdiction; because the matter belongs exclusively to the judicial authority of the government of the District of Columbia, then it follows, that this Court is alike precluded, whether the tribunals of that government have already, or may hereafter adjudicate upon the subject.

So far, the Chesapeake and Ohio Canal Company has been considered as a body politic, deriving its corporate capacity altogether, and exclusively from the State of Maryland; as one of the artificial legal entities of this Republic; and as standing fully and in every respect within the jurisdiction of this Court. But here, an exemption from the jurisdiction of this State is claimed, on the ground, that it owes its existence to other governments as well as to this; and that its works do, in fact, compose a part of the territory belonging to those other governments, over which territory this Court can exercise no authority whatever. It is believed, that this matter has never before been submitted to the consideration of any of the Courts of this country; and yet it presents important questions, * as to jurisdiction, which may, in the progress of things, frequently arise, since there have been many bodies **144** politic created, like this, by the concurrent acts of several State governments with property lying, or extending beyond the jurisdiction of each one of its creators. In Maryland there have been several canal, bridge, and turnpike road companies constituted in this manner. 1799, ch. 16; 1809, ch. 64; 1813, ch. 126; 1815, ch. 33; 1818, ch. 73; 1829, ch. 42, 67.

The legislative enactment of Maryland, by which The Chesapeake and Ohio Canal Company has been incorporated, distinctly authorizes, so far as it can give any such authority, the extension of its works beyond the confines of this State; and over territory belonging to other, and, in this respect, independent and unconnected governments. Each of which has communicated to it the same powers. The Chesapeake and Ohio Canal Company must, therefore, be regarded as a corporation, one and indivisible in its