

some perform their duty to the State in times of such danger, the faithful subject ought, by the most evident principles of reason and law, not only to be rewarded for his extraordinary services, but to be fully compensated for the losses he may have sustained in consequence of his fidelity and zeal in supporting the common safety, by those who enjoy the benefit of such safety, without having sustained any share in the dangers and losses incurred in the preservation of it.

Nor can the sovereign authority dispose of the property of the subject by levying taxes, when the public wants and necessities do not demand it. And when they call for, and justify it, it cannot be lawfully done with partiality or injustice. For this right extends no further than to take the sum necessary, and of that, only a reasonable and just proportion from each individual according to his ability. It cannot lawfully take from one district, and exempt another, nor from some particular persons, and except others. "The subject

law, and the nature of the subjects duty under it, declared, "That ALL the subjects of the realm, and the dominions thereunto belonging, were bound *by law* to be aiding and assisting in suppressing it \*," and therefore called upon *all* to unite for that purpose.

\* See the proclamation in the Case, ch. 2.

" must be equally taxed. As every subject  
" equally enjoys the protection of the Government and the safety which it procures,  
" so it is just that they should all contribute  
" to its support in a *proper equality*. Every  
" man therefore ought to be taxed according  
" to his income, both in ordinary and extraordinary exigencies \*."

The sovereign authority is moreover vested with a yet more extraordinary power, to enable it to fulfil its solemn covenant of protection. It may seize upon or destroy the property of the subject, when the *necessities of the State* and the public good require it. But this power, like that of taxation, is not despotic and arbitrary, but limited and conditional. For nothing less than the general interests and safety of the State can justify the exercise of it; and even then it is conferred upon this *express condition* — *this positive and explicit obligation and injunction*, to indemnify and make good the losses of the suffering individuals out of the public revenue, to which all contribute. The reasonableness and equity of this condition will be evident, when we reflect on the nature of civil society; the intent of which is, that all the individuals who have

\* Burlamaq. p. iii. c. 5. f. 14.