

entered into and compose the union, shall partake of its protection, and of *every* benefit resulting from it. Nothing therefore can be more just, than that not only the expences and burthens necessary to maintain it, but *every sacrifice* made to preserve it, should be equally distributed and sustained by *all*.

If this were not the law of every civil society; if the sovereign authority possessed a right to take or destroy the property of the subject, which it is bound to protect, without making a *just compensation* for it, the very design of the union would be subverted, and mankind would have committed extreme folly in changing a state of nature for civil society; because in that state, although they were liable to fraud and violence, yet that fraud and violence was prohibited by the laws of nature; and it was lawful for the party injured, not only to punish the aggressor for the personal injury, but to make reprisals for the property of which he had been robbed or defrauded. But in such a civil society as we have supposed, force and injustice would be sanctioned by law, and mankind would be in a much worse condition than in a state of nature. The injured and ruined subject could make no reprisal upon the sovereign authority. He would

would remain, without a possibility of remedy, under the load of oppression. But so far is civil society from countenancing such extreme wrong, that the principle of equal justice and individual protection we have before laid down, is stamped in the very nature of it, and pervades all its regulations, whether they be *its civil institutes or fundamental laws*. To demonstrate this truth, we shall produce, in order, examples of both.

In the civil institutes of every state, it is an invariable axiom, that all sacrifices of property made by individuals for the public benefit or accommodation, shall be paid out of the public revenue.

If houses be pulled down, or pieces of ground taken from an individual for the King's highway, an inquest shall be ordered to ascertain the value, and the amount shall be paid out of the public purse.

If land be taken by the State from an individual to erect a public building on, for any general public use, such as palaces, courts of justice, or public offices, compensation shall be made to the owner out of the public treasury.

So if the property of an individual be taken for the benefit of a county, corporation, or some particular private persons, it shall be paid

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