

ments, without making them *full compensation*; and had such a transfer ever been made, it would have been void in itself, as the persons making it could not possess such a right under the laws of nature established by God himself. These laws, on the contrary, enjoin mankind, under the heavy penalties of misery and want, to consult and pursue the means of their own preservation, welfare, and happiness; and no human covenant, no necessity, can justify a violation of them. Hence all the rights and powers ever yet conferred on any sovereign authority, by the union of civil society, have been conferred *in trust*, and under the most *sacred obligation* entered into on the part of that authority, to defend, protect, and preserve their persons from injury; and not to devote their lives to ignominious death, nor to dispose of their rights and properties without making full compensation, while they behave with fidelity to the laws of the society.

This truth will appear evident, not only from the laws of the British constitution, but from every authority to be found in authors who treat on politic law, and the established principles of every regular State.

That

That the Crown, in the British constitution, is not only bound to defend the subject in his person, but also in his goods and chattels, rights and privileges, will appear evident from the writs of protection I have before cited, and many others to be found in the Register; and the law is equally settled, that if the State fails to afford this protection, it is "bound to place the subject who has suffered through a want of it, in the *same state* he was in before the injury received;" that is, to make him adequate compensation. For the words of the writs in the Register, of folio 25, 26, I have before said, are, "*Et si quid in prejudicium hujus protectionis et salvæ gardiæ nostræ attentatum inveniretis, ad statum debitum reducatis.*" And, "*Et si quid eis forisfactum reformari faciatis.*" And, "*Et si quid forisfactum, injuriatum vel contra eos indebite attentatum fuerit, id eis sine dilatione corrigi et ad statum debitum reduci faciatis, prout ad vos et quamlibet vestrum noveritis pertinere.*"

these authorities we will add that by 11 H. VII. c. 1. it is declared, "That by the common (fundamental) law of England, the subjects are bound by their duty of allegiance to follow the Prince against every rebellious person and might. And that