

not originally, of justice, but of accident, which her office nevertheless is not to reverse, but to confirm. We hold it a beautiful part of our constitution, that, the firmer the tenacity wherewith the first man adheres to his own, once that justice takes her place among the other principles of his nature, the prompter will be his recognition of the second man's right to his own. If each man sat more loosely to his own portion, each would have viewed more loosely the right of his neighbour to the other portion. The sense of property, anterior to justice, exists in the hearts of all; and the principle of justice, subsequent to property, does not extirpate these special affections, but only arbitrates between them. In proportion to the felt strength of the proprietary affection in the hearts of each; will be the strength of that deference which each, in so far as justice has the mastery over him, renders to the rights and the property of his neighbour. These are the principles of the *histoire raisonnée*, that has been more or less exemplified in all the countries of the world; and which might still be exemplified in the appropriation of a desert island. If we had not had the prior and special determinations of nature, justice would have felt the work of appropriation to be an inextricable problem. If we had not had justice, with each man obeying only the impulse of his own affections and unobservant of the like affection of others, we should have been kept in a state of constant and interminable war. Under the guidance of nature and justice together, the whole earth might have been parcelled out, without conflict and without interference.