

to teach the creatures whose first and earliest tendency is to call every thing their own, what that is which they must refrain from and concede to others. When justice rises to authority among men, her office is, not to wed each individual by the link of property to that which he formerly thought it was not competent for him to use or to possess; but it is to divorce each individual from that, which it is not rightly competent for him to use or to possess—and thus restrict each to his own rightful portion. Its office in fact is restrictive, not dispensatory. The use of it is, not to give the first notion of property to those who were destitute of it, but to limit and restrain the notion with those among whom it is apt to exist in a state of overflow. The use of law, in short, the great expounder and enforcer of property, is not to instruct the men, who but for her lessons would appropriate none; but it is to restrain the men who, but for her checks and prohibitions, would monopolize all.

28. Such then seems to have been the purpose of nature in so framing our mental constitution, that we not only appropriate from the first; but feel, each, such a power in those circumstances, which serve to limit the appropriation of every one man and to distinguish them from those of others—that all, as if with common and practical consent, sit side by side together, without conflict and without interference, on their own respective portions, however unequal, of the territory in which they are placed. On the uses, the indispensable uses of such an arrangement, we need not ex-