

"There are however three Cases, by which a Nation in a just War may acquire Property in the Goods which is taken from its Enemies. First, a Nation that has been injured, has a Right to Reparation of Damages. Reparation is made according to the Law of Nature, not only by recovering the Thing, which we are unjustly deprived of, but likewise, where the very Thing cannot be had, by recovering an Equivalent extends to the Goods of all, who are Members of the Nation that has done the Injury; not because the Goods of private Subjects are by any purely positive Law made Pledges to all the World for the good Behaviour of the Nation, or of its constitutional Government, but because by the positive Consent of all Mankind, the Nation, though it consists of many Individuals, is considered as one collective Person; and in Consequence of this general Consent, all the Members of this collective Body are doomed Parties in any Injury which the Body does, as far as this Injury produces a Claim to Reparation of Damages in those against whom it is committed. If a Nation makes War to recover Reparation of any Damages that have been done to it, this Claim to such Goods as are taken in the War, takes Place from the Beginning of the War to the Extent of those Damages. But if the Enemy begins a War causlessly, and the Nation which defends itself has suffered no Injury from the Enemy before he began, this Claim does not take Place from the Beginning, because the Nation can have no Right to an Equivalent, where it has sustained no Damage. However this Claim, though it not begin with the War, will arise in the Progress of it: for the War itself is an Injury; and consequently the Nation, against which it is made, will have a Right to Reparation for all the Damages which are done to it in the War. — Secondly, a Nation has a Right to be paid the Expences that it makes in a just War. These Expences are indeed so many additional Damages, for whatever the Nation is forced to expend in recovering its Right, is a Loss, which is occasioned by the Fault of the Enemy, who withholds that Right. — As the Nation therefore acquires Property in the Goods which it takes from the Enemy, to the Amount of the original Damages that occasion the War, and of the fresh Damages that are done in the War; so, upon the same Principle, it acquires Property in what it takes, as an Equivalent for the Current Expences that are made in carrying on the War." —

We are inclined to think the Authorities cited will convince our People of the Right they have to seize and confiscate British Property in their Power. —

The Policy of the Measure depends on Opinion. We think it impolitic to load our Constitution with Taxes, and convinced that they cannot pay what is really necessary to carry on the War, without selling Part of their Property, to raise the Money, we thought sound Policy dictated the Priority of first selling the Property of our Enemies. We must now beg Leave so far to intrude on your Honours Time and Patience, as to make a few Structures on your Arguments, or rather Objections to the Bill. Permit us to discuss them with that Temper and Disposition their Importance and Weight may require. It is made an Argument by your Honours against the Confiscation of British Property, "that it may be made a preliminary Article of the Peace, that it be secured to the present (or, as we would rather say, the original) Owners." It has been an Argument with other States, and it is

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