

The' Embassadors have the same precedence, that is due to their princes, yet Agents and Repres-
sents have not. Because an Agent represents only the affairs of his master, whereas an Ambassador
represents the greatness of his master and his affairs; ~~and Agents are~~ Agents are
generally made up where and when there is some suspicion that an Ambassador will not be honoured
as he should be; John Syleffs ibid. pag. 296. Nor has the popes nuncio the precedence due
to an Ambassador, M. Konz's Ibid.

The principal Authors that have written about the privileges of Ambassadors are 1. Conrad
Brunius Counsellor of the Duke of Bavaria in the year 1548. 2. Althoric Gentilis
Regius professor of the Civil Law at Oxford in 1585. 3. Herman Kircbner in 1604.
4. The Author of the modern Quæstion in 1606. 5. Charles paschal, Counsellor
to the French in 1600. 6. John Hotoman, the Son of Francis Hotoman. 7.
Christopher Bofoldus, a Doctor of Laws at Tubingon, in 1624. 8. Friedrich
Marshall a Spanish Knight. 9. Hugo Grotius in his Books of the Rights of
War and peace in 1625. 10. Doctor Richard Zouch professor of the Civil Law
in the university of Oxford in 1657. 11. Doctor John Syleff in his new pandect
of the Roman Civil Law vol. 1 Book 2 Tit. 42. in the year 1734. 12. Charles
Molloy in his Treatise de Jure maritime et Navali, Book 1 Chap. 10.

How Infractions of the Laws of Nations are
restrained.

Infractions of the Laws of Nations are restrained by Reprisals, upon
war, and other ways suited to the Ruptures and Attempts.

Reprisals or Letters of Reprisal is a warrant or Commission granted
by the King, whose subjects those under the Dominion of another prince
or State have injured by pillage, piracy or otherwise, to seize upon
the Goods of all the subjects of that other, after Refusal to make
Reparation for the wrong done. These violent Exactions made upon
the Goods of the Subjects of a foreign State or Commonwealth where Justice
is denied in a Legal

may

Way borrow their name from the french Word Reprise that
is retaking or taking again one thing for another; and An-
swers to what they call in England Wethernam, in France
Droit de Marque letters of Mark from the German Word
Marca or Mark, which signifies a Limit or boundary, be-
cause, that method of redressing Injuries is generally used
upon the Borders of Countries. Such Law Casuists as question
whether Reprisals are lawfull, so so ra ther as Wornes than Law-
yers; for H. Grotius who was both, resolves the point in the af-
firmative, de jure B. & p. lib. 3. cap. 2. n. 2. They are allowed for
the Common good of Mankind and preservation of Society. Be-
cause private Persons injured by those under a foreign Autho-
rity, do seldom know the particular Persons who did the Wrong;
and tho' they did know them, are not in a Capacity to redress
themselves. The only Remedy left to them, is to apply to the
Supreme Power they are subject to, who, upon a representation
of the Injury and Damage sustained, if the
Demand redress by their Ambassador or other Ministers of
State, from the Prince or State under whom the Injury is done;
and if redress be not that way obtained may and ought to grant
Commissions for seizing the Goods of any of the Subjects of
such Prince or State till Satisfaction and reparation be given;
because it is not adviseable to involve a Nation in a publick
War for every Wrong done by Foreigners to private Sub-
jects. But in regard the Prince or State against whose Sub-
jects reprisals are used are often thereby prompted to engage
in the Quarrel and defend the first Aggressors as judging
their own honour and Interest mainly, rather than
struck at, which occasions an open rupture; Princes and
States should be very sparing in granting letters of Mark
for slight Injuries done to their private Subjects, and should
deliberate thereon with no less care, than upon undertaking
a War. All Subjects, if they be constant Inhabitants and
to this Law of reprisals, but Strangers or Sojourners only for
pay publick taxes. H. Grot. ibid. p. 4. The Goods seized
a Time are not liable, in the Court of Admiralty where they
are brought in, after evidence produced, that they belong
to such Commonwealth or State whereof the Injurer is a
Member and to be adjudged to the Injured in Satisfaction
to their Damage and Interest to the Value thereof, and
the overplus, if any be, more than satisfies their just
Claim, should be restored and made forthcoming to the
owners; the expence of recovering being all paid. So soon
as Satisfaction is thus obtained, the Commission for Re-
prisals should cease; Plair Inst. lib. 2. Tit. 2. p. 2. These
Reprisals (tho' innocent Persons frequently suffer there-
by in their goods for the fault of others) do not appear to
be unjust: it being a natural Consequence of Mens Com-
bining into Civil Bodies, that the Injuries which the Mem-
bers of one Society suffer from any of another, should af-
fect the whole Community, and every Person therein ob-
liged to discharge the Publick Debts. But what ever they
pay upon such account, must be refunded to them by
the State or Commonwealth, Suffered. And if
Publick should be Reimbursed by those through whose fault