

The State would, however, fall short in this its duty, if it failed to provide some means of securing satisfaction to its own citizens as well from the property found here of their foreign insolvent or deceased debtors, as from their foreign and solvent living debtors. That provision of the Federal Constitution, which declares that the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States; Art. 4, s. 2, cl. 1; looks to other privileges, such as the right to acquire and hold property, to take by descent, and the like, and does not at all affect the duty which, in this respect, each of the several States of our Union owes to its own citizens; *Campbell v. Morris*, 3 H. & McH. 535; *Ward v. Morris*, 4 H. & McH. 340; or that course of distribution consequent upon intestacy, which, by the general comity prevailing among nations, is regulated according to the testator's domicil. *Thorne v. Watkins*, 2 Ves, 36; 5 Ann. cl. 8, Art. 4. The law of nations, so far as it applies to the regulations of commerce, is, as in all other respects, founded on principles of perfect reciprocity and equality; and, therefore, it cannot be applied to cases which do not admit of reciprocation and equality. In England, and in some other countries, there are bankrupt laws; in this there are none. Under the insolvent laws of some of the States of our Union, the person of the debtor may be released from confinement, leaving all his then held, or thereafter acquired property liable; but, under our law, a debtor may be so absolutely discharged as to protect his future acquisitions of property as well as his person. And, besides, bankrupt and insolvent laws are not so much regulations of *commerce, as they are mere municipal rules of law for wind- **495**

ing up and adjusting cases of interrupted and broken commerce; they are forced upon debtors; without any alternative as the only means of escaping imprisonment, and are highly penal in many of their provisions; they cannot, therefore, be considered as in all respects voluntary, and must be, from their very nature, entirely local in their operation.

Hence, it has always been held here, that the bankrupt and insolvent laws of the other States of our Union, as well as of other countries, could not be allowed to operate, in any way whatever, upon the property of the debtor found here, and particularly in contravention of any rule in relation to immovable property lying within this State, or to the prejudice of any citizen of this State; as they clearly would, if they were allowed to vest any right in the assignees or trustees of such bankrupt or insolvent debtors, or were permitted to give an exclusive right to have such property removed any where beyond the jurisdiction of the State, there to be distributed among all his creditors, including those resident here, which would be, in effect, to restrain our own citizen creditors from touching their absent insolvent debtor's property found here, upon which he had been credited, and to direct them to fol-