

**504** \* But, although the State has thus, by its Constitution, withheld from all who may be entrusted with public authority, all power over the religious or political opinions of its citizens, infant or adult; yet it has a large interest in having her infants educated under the influence of that very freedom which has been secured to them. And, therefore, the Chancellor here, as in England, looking to his constitutional duties, in this respect, would not suffer a guardian to send his ward abroad, or out of the United States to be educated, where principles adverse to our institutions must necessarily be inculcated, and might be too copiously imbibed. *Mountstuart v. Mountstuart*, 6 *Veaz.* 373; *De Manneville v. De Manneville*, 10 *Ves.* 56; *Lyons v. Blenkin*, 3 *Cond. Cha. Rep.* 115; *Vattel*, b. 1, ch. 11, s. 114. And although parents of infants may well be indulged upon the ground of their own right to leave this country at pleasure to take with them their infant children wherever they may go; *Lashley v. Hog, Robin Succession*, 430; yet the Court will not allow a father, under the color of his parental authority, to work the ruin of his child, or suffer the child to be in any way sacrificed to his views; *Creuze v. Hunter*, 2 *Cox*, 242; nor will it concede to any mere legal guardian an unlimited power to dispose of his ward as he may think proper; since the State has a deep interest in retaining and educating her own infants, with a view to her own strength and improvement. *Skinner v. Warner*, 2 *Dick.* 779; *Ex parte Warner*, 4 *Bro. C. C.* 101; *Wellesley v. Beaufort*, 3 *Cond. Cha. Rep.* 14; *Lyons v. Blenkin*, 4 *Cond. Cha. Rep.* 115. And as an infant cannot, of himself, acquire any domicile, but always retains that of his parents, or of his origin, so his having been left here as an orphan devolves upon the State a right to retain him within its jurisdiction for its own benefit, as well as for his own advantage. And therefore a guardian merely constituted such by law, is never permitted, at his pleasure, to change the domicile of his ward for any purpose, much less with a fraudulent intent to alter the rule of succession to his property from that by which it would have been governed according to the law of the domicile from which he was removed. *Somerville v. Somerville*, 5 *Ves.* 750; *Potinger v. Wightman*, 3 *Meriv.* 68; *Desesbats v. Berquier*, 1 *Bin.* 336.

According to the established principles of international law, no one nation can, under any pretext, interfere with the internal regulations or domestic concerns of another; nor can any one nation be allowed to withdraw from another any of its citizens, to impair its strength, or to diminish its resources in any way whatever. Subject, however, to these fundamental axioms, individuals are permitted,\* in time of peace, freely to migrate from one

**505** nation to another, and to take with them their infant children and property, or to have their movables transported any where; provided they do so fairly and without prejudice to the State, or to any one; as in the cases and upon the principles before