

due to him from its owner. And therefore, even although the exportation of such property may be regarded here as an absolute right, yet the authority of a citizen creditor to seize it by a judicial proceeding, and have its exportation totally prevented by a sale for the satisfaction of his claim, is no more than the exercise of an authority for his benefit which the state owes him as a duty. Hence it is, that by our attachment act and practice, and by some similar judicial proceeding in all other countries, a citizen creditor may obtain satisfaction of his claim from the property of his foreign or absent debtor found within the jurisdiction of the state. (*p*)

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; (*q*) 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; (*r*) or that course of distribution consequent upon intestacy, which, by the general comity prevailing among nations, is regulated according to the testator's domicil. (*s*) 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 com-

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(*p*) 1715, ch. 40; 1795, ch. 56; 1825, ch. 114; *Burk v. McClain*, 1 H. & McH. 236; *Shivers v. Wilson*, 5 H. & J. 130; *Barney v. Patterson*, 6 H. & J. 182; *Willes v. Pearce*, 6 H. & J. 191, note; *Mandeville v. Jarrett*, 6 H. & J. 497; *Taylor v. Phelps*, 1 H. & G. 493; *Manro v. Almeida*, 10 Wheat. 473; *Douglas v. Forrest*, 15 Com. Law Rep. 120; *Chase v. Manhardt*, 1 Bland, 344.—(*q*) Art. 4, s. 2, cl. 1.—(*r*) *Campbell v. Morris*, 3 H. & McH. 535; *Ward v. Morris*, 4 H. & McH. 340.—(*s*) *Thorne v. Watkins*, 2 Ves. 36; 5 Ann. ch. 8, art. 4.