

him up to the offended state, to be there brought to justice."

This is pretty generally observed with respect to great crimes which are contrary to the laws and safety of all nations. Assassins, murderers and robbers are seized every where, at the desire of the sovereign in whose territories the crime was committed, and are delivered up to his justice. *The matter is carried still further in States that are more closely connected, by friendship and good neighborhood. Even in cases of ordinary transgression, which are only subjects of civil prosecution, either with a view to the recovery of damages, or the infliction of a slight punishment, the subjects of two neighboring States are reciprocally obliged to appear before the magistrate of the place where they are accused of having failed in their duty. It belongs not to the sovereign of the accused to examine whether the accusation be true or false. He is to presume on the justice of his neighbor, and not suffer any doubts on his part to impair an institution so well calculated to preserve harmony and good understanding between the States.*—Vattel's Law of Nations, book second, chapter six.

Your committee will not enquire whether the principle of demand and surrender is confined to heinous crimes, such as assassination and murder; because, whatever the rule under the law of nations may be, it is virtually abrogated by the practice among the States in this Union. They have uniformly demanded fugitives from justice, and these demands have not been disregarded in offences of a less grade. Even the rigor of the rule has been relaxed by the demand of New York herself for the surrender of a fugitive, accused of forgery; and it does not appear that the particular act charged against the party, rendered that forgery "a crime equally contrary to the laws and safety of all nations." For aught that is known, it was an offence against the laws of New York alone.

These demands are gratified on the principle that crime must be punished for the good of society. According to the authority quoted, the nation of which the offender is a citizen, must punish him, or deliver him up to the justice of the offended State. In this country crimes must be tried and punished where they are committed. This right is secured to the accused by the constitution. New York, in the present case, cannot inflict punishment under the law of nations, because our constitution forbids it. It would seem strange, then, that an offender may escape even a trial, by means of the very provision that was de-