

tice 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 designed to prevent him from being punished unjustly. The denial of trial and punishment except at the place of the crime,—apart from the express recognition of the right of demand,—appears to sanction that right, and to impose on the state on whom it is made the obligation to surrender. The good of all the states depends in some measure on the observance of law and order in each other. If an offender may escape punishment for any act by removing to a state where that act is not criminal, those penal laws of any state may be violated with impunity which are predicated on its peculiar condition, or on the character of its institutions, and local policy, as distinguished from the other states. This condition of things all would deplore, and we should not encourage such a construction of our mutual relations as may lead to so calamitous a result. The states would find themselves as New York is, in the attitude of shielding their own citizens from punishment for the flagrant violation of necessary and salutary laws in other states. We would present the anomaly in government, of independent states without any power to keep our citizens at home, or to prevent the commission of crimes by them when abroad, and yet clothed with state sovereignty amply sufficient to sustain and protect them after the acts were committed.