

beyond dispute that, in reference to which, an eminent Jurist said, "there were great names on both sides." The States by the constitution became sovereign as to their local criminal jurisprudence. To this extent they were recognized as free and equal communities, independent of the General Government and of each other. As sovereign they possessed all the rights of nations under the law of nations, except as prohibited by the constitution. The convention knew this. They were slow to introduce provisions that they thought unnecessary or merely expletive. Their proceedings shew that they rejected many propositions, because it was imagined that the end proposed could be attained without them. They had an object for every clause inserted. They designed to leave nothing uncertain, but to make all plain. If they had desired to leave the States to the law of nations they would have done so, by restricting the right of demand and surrender to that code, in express terms. The object of the constitution as declared by the preamble was "to form a more perfect union, establish justice, ensure domestic tranquility, &c." The construction now put on one of its most important provisions tends to destroy the Union, pervert justice, and produce domestic strife.

The Constitution, Art. 4, sec. 2, declares,

1. The citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states.
2. A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the Executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.
3. No person held to service or labor in one state under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor: but shall be delivered up on claim of the party to whom such service or labor may be due.

These are important provisions, and confer rights and obligations that would not have existed without them.

In the first place, the citizens of each state are entitled to all the privileges and immunities of citizens in the several states. They are placed on the same footing in each state with the citizens of that state—entitled to the protection of its laws, and to all benefits and advantages that they confer. This must