

against the Demand of the Offended State within whose Limits and Jurisdiction the Offence was committed then it lies in the Power of this State and any other to defeat when it pleases the whole Object and Policy of the Confederation: there needs only a general Law comprehending all Offences done in a Neighbouring State and making them cognizable here. But Surely nothing could have a more pernicious Tendancy than a Doctrine of this nature: and nothing could be more compleatly calculated to create Contention Jealousy and Animosities between the States: for the State within whose Limits the Offence was committed would never suffer it's Jurisdiction to be ousted by such a Political Manuevre.

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When I requested your Honors to have M^r Carbury arrested and conveyed to the Limits of this State there to be delivered up I did not mean to Affirm that the Power to deliver up lay with you: I only meant to obtain the Assistance of your Officers in conveying him to the Limits: When there I should have ordered him to be delivered up.

Upon the whole it is my Opinion that when M^r Carbury was charged before the Judges with Offences done in Pennsylvania within the description of Offences stated and defined by the Confederation, they ought to have issued their Warrant for his Arrest, and on that Arrest to have committed him without Bail: When they had thus Arrested and committed him they should have communicated their Proceedings to the Governor to be forwarded by him to the Executive of Pennsylvania: if no Demand had been made within a reasonable time it would have then been their Duty on Application to have granted a Habeas Corpus and discharged M^r Carbury from that arrest and Commitment. The Affair then might have been taken up as an Offence under our Treason Act and the Proceeding conducted according to the Laws Constitution and Government of the State.

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Having this misfortune to differ so widely you You on this Subject, it becomes my Duty to lay the Affair before the General Assembly for their Consideration and order.

With every Sentiment of Regard & Respect
I am &^{ca}