

low it into a distant and foreign country, there to seek satisfaction according to laws with which, it could not be presumed, they were at all acquainted. *Holmes v. Remsen*, 20 *John. Rep.* 229.

Therefore, in discharge of this duty to its own citizens, Maryland, by one of its earliest legislative enactments, not now in force, declared, that where the goods of a debtor sued were not sufficient to pay all his debts within the Province, they should be sold at an outcry, and distributed equally among all the creditors inhabiting within the Province, except that the mere and proper debts of the Lord Proprietary should be first satisfied, and then fees and duties to public officers, and charges; and that debts due for wine and hot-waters be not satisfied till all other debts were paid, 1638, ch. 2, s. 11; 2 *Boz. His. Mary.* 147, and by other and still existing Acts of Assembly, it has provided, that all citizen or country creditors, as they were called, should have made or secured to them a full satisfaction of their claims out of their foreign bankrupt or insolvent debtor's property found here, before it should be removed beyond the jurisdiction of the State. 1704, ch. 29; 1753, ch. 36; 1786, ch. 49, s. 3; *Burk v. McClain*, 1 *H. & McH.* 236; *Ward v. Morris*, 4 *H. & McH.* 337.

496 *These, and similar legislative enactments passed by the other Colonies, now States of our Union, were, before the Revolution, much complained of by the mother country, as bearing hardly and unjustly upon the interests of creditors resident in Great Britain. *Ex parte Blakes*, 1 *Cox*, 398; *Hunter v. Potts*, 4 *T. R.* 187; *Chalmer's Political Annals*, 689, 693; 1 *Chal. Opin. Em. Lawyers*, 29. (d) Indeed, England having a greatly extended commerce, and her merchants and manufacturers crediting abroad vastly more than they owe to foreign creditors, has a strong and peculiar interest in contending for a rule which draws to herself the distribution of all the effects which her lucrative commerce has dispersed over the globe; *Holmes v. Remsen*, 20 *John. Rep.* 264; and hence, it has long since become the settled policy of the English judiciary, to extend the operation of their bankrupt laws, so as to grasp and gather under their administration, for the benefit of English creditors, the effects of those who may be declared bankrupt under their laws, from all parts of the

(d) In an opinion of the Attorney and Solicitor-General, D. Ryder and W. Murray, given on the 3d of June, 1747, to the commissioners of trade and plantations, respecting an Act which had been passed in the year 1715, by the General Assembly of North Carolina, for giving priority to country debts, they say, "that such part of the Act as postpones the execution on judgments for foreign debts, in the manner therein provided, is contrary to reason, inconsistent with the laws, and greatly prejudicial to the interests of this kingdom; and therefore, unwarranted by the charter; and consequently, void. And we are of opinion, that his majesty may declare the same to be so, and his royal disallowance thereof." 2 *Chal. Opin. Em. Lawyers*, 62.