proceedings under the bankrupt or insolvent laws of a foreign state, to give any right, or to affect the title to any property belonging to the debtor, and found within this state, in any way whatever. (*b*)

The law in relation to the administration of a deceased foreign debtor's effects found here, is now settled upon the same general principles, that of a duty which the state owes to its own citizens.

According to the ancient common law of England, upon the death of any one intestate his personal estate devolved upon the king, whose duty it was, as sovereign, and as *parens patriæ*, to take care of, and have justice done to all his subjects; and therefore, he caused the effects of the deceased to be placed in the hands of some fit person, to be administered for the benefit of his creditors and next of kin. After which, this public duty of the sovereign was delegated by him to the clergy; who under the pretext of applying such estates to pious uses, upon the ground, that there was a general principle of piety in the testator, (*c*) fraudulently appropriated the whole to their own aggrandizement, leaving the creditors of the deceased unpaid, and his next of kin destitute. To prevent these fraudulent practices of the clergy of those times, the parliament interposed and passed laws, in affirmance of the ancient common law, requiring the bishops to appoint administrators, in whose hands the personal estate of intestates, should be placed, to be administered for the benefit of his creditors and next of kin. (*d*) But the bishops who had been so long in the habit of appropriating all the goods of intestates, found within their respective districts, to their own uses, were permitted to retain the right of granting administration of all such effects; and, therefore, to secure to themselves their fees and perquisites for so doing, they refused to admit the validity of an administration granted any where beyond their own peculiar jurisdiction. (*e*) And following out the same rule, the courts of law and equity of England, held that they could not take notice of any letters of administration granted in a foreign country, without intimating, that they refused

(*b*) Holmes *v*. Remsen, 20 John. Rep. 229; Milne *v*. Moreton, 6 Binney, 353; Burk *v*. McClain, 1 H. & McH. 236; Wallace *v*. Patterson, 2 H. & McH. 463; Harrison *v*. Sterry, 5 Cran. 289; Ogden *v*. Saunders, 12 Wheat. 213; Brickwood *v*. Miller, 3 Meriv. 280; Kames' Pri. Eq. b. 3, c. 8, s. 6.—(*c*) Moggridge *v*. Thackwell, 7 Ves. 69.—(*d*) Hensloe's case, 9 Co. 37; Carter *v*. Crawley, T. Raym. 496; Marriot *v*. Marriot, Gilb. Eq. Rep. 203; Manning *v*. Napp, 1 Salk. 37; 2 Inst. 397; 2 Blac. Com. 494; 13 Ed. 1 c. 19; Kilty Rep. 144.—(*e*)—Middleton *v*. Crofts, 2 Atk. 659; Roberson Succession, 250, 251.