

*COMMISSION OF BANKRUPTCY IN ENGLAND, WHAT  
EFFECT IT HAS IN SCOTLAND.*

---

1776. *August 7.*                    *VASIE against GLOVER.*

“ THE Lords find, that Messrs Glover, &c. assignees under the commission of bankruptcy awarded against Bedford and Son, have a right of action, entitling them to recover the bankrupts’ effects in Scotland, and to compete for the same: and further, find, That Robert Vasie of Hexam, an Englishman claiming under an English debt, and having already drawn a dividend of the bankrupt’s effects on account of said debts, under the said commission, is barred from competing with the assignees, or claiming preference on his arrestments produced; 24th January 1776, Vasie against Glover, &c.; adhered to as to the first point, 13th June 1776; memorials ordered, as to the second point, 7th August 1776; adhered to, as to the second point also.”

Same day determined a similar point on a hearing, *Parish against Khone, &c.* with regard to the effects of a Bremen merchant in Scotland. The creditor, having acceded to the trust right prescribed by the law of Bremen, was barred from competing with the trustees in Scotland.

---

1775. *February 23.*                *PARISH, &c. against KHONES.*

By the law of Bremen, the effects of a bankrupt are vested in the Senate, and the management committed to certain members chosen by the creditors. If any of the bankrupt’s creditors do not accede to this choice, they seem to be at liberty to attach the bankrupt’s effects in any other country where they can find them; but if they have acceded to this choice of trustees by voting in it, proving their debts before them, and demanding payment, or any other way sufficient to establish a proof of their accession, they are thereby precluded from taking separate measures in any other country for obtaining a preference over the other creditors. So found by Lord Monboddo, Ordinary, in a case between John Parish of Hamburgh, &c. against Messrs Jacob and John Khone, 23d February 1775; to which the Lords adhered, 21st February 1776; and again, after a hearing in presence, adhered, 7th August 1776.