

taken out of the country ; but, in the absence of a resident citizen agent should be deposited with the treasurer of the state. (b) And it was further provided, that the factors of British creditors should not collect and remit debts due to them until they had lodged with the auditor a list of all balances due to such creditors, and given bond to satisfy the citizen creditors of those British creditors. (c) Thus preserving, for the benefit of citizen creditors, the vouchers, and the funds within their reach so as to enable them to levy their attachments with more certainty and effect.

From these various views of the subject it clearly appears, that all *Hepburn's* remedies for the recovery of the debt he alleges to be due to him from the *Mollisons* were preserved in the most effectual form by the confiscation acts. And, that, supposing those acts out of the question, there was nothing in the war ; or in the circumstances, or situation of the *Mollisons*, that could, in the slightest degree, affect his remedies ; and therefore, there is nothing under which his claim can take shelter from the presumption against it ; unless it may be found in the last position assumed by him ; which is, that there were, in fact, no debts due to the *Mollisons* which he could have attached, or if there were, that he was wholly ignorant of there being any such debts ; and also of the fact of any property of theirs having been actually confiscated and taken into the public treasury.

It appears from the various documents and vouchers produced by the petitioner himself, that the *Mollisons* were English merchants resident in London, engaged very extensively in trade to this country ; that they had, in Maryland, a store at Georgetown, another at Bladensburg, a third at Pamunky, in Charles county, a fourth at Pig point, and a fifth at Huntingtown, in Calvert county ; that they received from various persons in Maryland large consignments of tobacco ; and, amongst others, that this debt now claimed originated in that way ; that their trade was continued to about the year 1775 ; that they had debts due to them, from debtors dispersed over the whole of the then settled portion of the Western Shore of Maryland, to the amount of about £17,000 sterling ; about £13,000 of which is represented to have been due from persons who were solvent at or after the peace ; and that *Samuel C. Hepburn*, the executor of the late creditor, at the time, and for many years after, resided in Prince Georges county, about mid-way between those