

tors; and therefore, none of their provisions which relate peculiarly to forfeiture for treason, or to escheated estates, apply to their case. They and their property were affected by those laws only and exclusively as being then British subjects and alien enemies.

By the Act of October, 1780, ch. 45, it is declared, that all the property within this State, debts only excepted, belonging to British subjects, such as the Mollisons then were, should be confiscated. But it was also declared, by the same Act, that all citizens of this State, such as Hepburn then was, should be fully paid and indemnified, so far as their British debtors were solvent, out of the property confiscated; to be adjusted by the General Assembly: Provided, such British debtors had not debts due to them within this State sufficient to satisfy their creditors. Thus requiring the creditors to exhaust that fund first before they made claim against the confiscated property taken into the treasury. Commissioners were appointed to preserve the property so confiscated, October, 1780, ch. 49, who were authorized to receive claims and report to the treasurer as to the probable amount due to creditors from persons whose property had been confiscated; and the treasurer was directed to reserve a sufficiency to meet such claims until the General Assembly should take order therein. May, 1781, ch. 23, s. 19.

The time for bringing in claims against the State, which arose on any account before the tenth of January, 1785, was limited to *a specified period; 1784, ch. 45, and 1785, ch. 10; and it was declared, that all claims against the State on account **116** of property confiscated, which arose before the time limited by law for bringing them in, might be brought in, passed, and settled by the Auditor-General on or before the first day of September, 1787, and when so settled should be paid as directed by law: Provided, that the claimant satisfied the Auditor-General, that for want of notice, or for some unavoidable impediment, he could not bring in his claim within the time limited by law. 1786, ch. 18. And it is further declared, that no such claim should be passed unless satisfactory proof was given that there were no debts due in the country to the persons whose property had been confiscated, to satisfy the claim exhibited against the State, and that due industry had been used by the claimant to discover the debts subject to attachment, and the proper means taken by him to secure his claim out of such debts. And in conclusion it was directed, that the Auditor-General should give notice of this Act in such manner as he might think proper to communicate its contents throughout the State. 1786, ch. 18; Journ. Cong. 23rd July, 1787; 27th August, 1786. It was also provided, that when any claim of a creditor against confiscated property should be rejected by the Auditor-General, the claimant might lay his papers before the Chancellor,