

44. If any patent shall hereafter issue to any person or persons for lands which have or shall escheat to this state, and the person whose title to the said lands became escheatable died or shall die, leaving debts unpaid which were contracted within this state, or with any of the citizens thereof, such creditor or creditors may file his, her, or their bill in chancery against the state, in which it will suffice to state the nature of his, her, or their claim, in like manner as if the said suit was brought against the original debtor, and upon his, her or their serving a subpoena on the attorney-general, and establishing the said claim as usual, such creditor or creditors shall recover of the state his, her, or their debt, if the money received by the state for such escheat title shall have been equal to the same; and in case said sum received by the state shall be short of the said debt or debts, then such creditor or creditors shall recover so much thereof against the state as may or shall have been received for such escheat title so granted as aforesaid; and in all such cases the chancellor shall cause notice to be given, as he shall think proper, to the creditor or creditors of the said deceased person, to make known their respective claims, and lodge the same with the register of his said court, and substantiate their respective demands in such manner as he shall direct, and in case there shall be more than one creditor who shall bring suit as aforesaid, or upon such notice shall produce and substantiate his, her, or their claim to the satisfaction of the chancellor, and if the money received by the state for the sale of such escheat title, shall not be sufficient to satisfy the whole of such creditors, then he shall apportion the same among all such creditors, according to the amount of their respective claims.—*ibid.* § 6.

45. Where any sale or sales of such equitable titles have been made by virtue of any writ of fieri facias, or decree of the chancellor of this state, the purchaser or purchasers thereof, his, her, or their heirs or assigns shall hold and have the same right and title thereto as if the said purchase had been made under and in virtue of the provisions of this act.  
*ibid.* § 7.

46. In case any infant, idiot, or person *non compos mentis*, hath or shall have a joint interest, or interest in common with any other person or persons in equal or unequal proportions, in any lands, tenements, or hereditaments, and it shall appear to the chancellor, upon application of any of the parties concerned, and upon the appearance of the infant, by guardian to be appointed by the chancellor for that purpose, and for the purpose of answering and defending on the part of such infant, and upon the appearance of such idiot, &c. by the trustee, or trustees, or committee, of such idiot, &c. to be appointed by the chancellor on behalf of such person, for the purposes aforesaid, and upon hearing and examining all circumstances, that it will be for the interest and advantage of all parties concerned to make partition of such lands, &c. or any part thereof, in the same manner, and under the same regulations, as if