

IV. And be it enacted, That any person or persons who shall purchase an equitable title to lands under any decree of the chancellor passed in virtue of the provisions of this act, shall be entitled, upon payment of the purchase money, to an assignment or conveyance of such equitable interest, to be made by the trustee or trustees making such sale, and shall, in consequence of such purchase and assignment, or conveyance, stand, as to title, in the place of the person dying seized and possessed as aforesaid, and entitled to such remedy in all cases, and against all persons; as the person could or might have had whose title he, she or they, may claim by virtue of such purchase.

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Persons purchasing to be entitled, &c.

V. And be it enacted, That any creditor or creditors making application to the chancellor as aforesaid, by bill or petition, may pray and obtain a subpoena against the person or persons having the legal title to the land whereof the deceased died seized or possessed, or to which he, she or they, had claim, under the circumstances aforesaid; and in case the facts set forth in the bill or petition, to entitle the complainant or complainants to a decree as aforesaid, shall be established to the satisfaction of the chancellor, after the summoning and hearing of the person or persons so made defendant or defendants, or after such proceedings against such defendant or defendants, as would entitle the complainant or complainants to a decree in any other application for a decree for conveyance, in case of the defendant or defendants being under age, or residing out of the state, or standing out the process of the court, the chancellor, by his decree, may direct the trustee appointed, to make sale, on the chancellor's ratification thereof, and on receipt of the purchase money, by deed indented, acknowledged and recorded, agreeably to law, to convey to the purchaser or purchasers all the right, title, interest and estate, which was in the person so dying seized or possessed, or to which he, she or they, had claim as aforesaid, and all the right, title, interest and estate, of the person or persons having the legal estate in the land sold, and made defendant or defendants as aforesaid; and the purchaser or purchasers shall thereupon be entitled to hold the land so conveyed, free and discharged from all claim of any person claiming by descent or devise under the person dying seized or possessed, or claiming as aforesaid, and from all claim of such defendant or defendants.

Creditors making application may pray a subpoena, &c.

VI. And be it enacted, That if any patent shall hereafter issue to any person or persons for lands which have escheated 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, it shall and may be lawful for such creditor or creditors to file his, her or their bill in chancery against the state of Maryland, in which it shall be sufficient to state the nature of his, her or their claim or demand, 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 according to the usual course of the court in other cases, such creditor or creditors shall be entitled to recover of the state his, her or their said 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, in such manner 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 against the state, 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 pay and satisfy the whole of such creditors, then and in such case it shall and may be lawful for the chancellor to apportion the same among all such creditors, according to the amount of their respective claims.

If patent shall issue, &c. creditor may file his bill, &c.