

lishing their claims in the usual mode in that court, shall be entitled to recover the amount, if the money received by the state shall have been equal thereto, or, otherwise, so much as has been so received: and the chancellor is in such cases directed, by notice, in such form as he shall think proper, to call upon the creditors to produce and substantiate their claims, and if there are several creditors who either bring suit, or establish their claims upon the notice aforesaid, and the money received is not sufficient to satisfy the whole, the chancellor is to apportion the sum received between them, in proportion to the amount of their several claims.

By the act of 1799, ch. 79, it is provided that any person having a claim, or a title in equity, to, or a lien or charge upon, land which has been escheated, or has become the property of the state by confiscation, or by having been purchased by an alien, may bring a suit against the state in any court of law or equity in the same manner as it might have been brought against the person from whom the land devolved on the state; and that if such suit be brought in the chancery court, the attorney general shall be the defendant in behalf of the state, and the same proceedings had thereon as if the defendant were the person from whom the title had devolved on the state, provided that the state shall be burthened with no costs occasioned by the said suit, or the title so derived.

By the act of 1789, ch. 14, the state relinquished its right of escheat to lands acquired subsequent to the naturalization act of 1779, by foreigners who had neglected to take the oath of allegiance prescribed by that act, provided that such foreigners should naturalize themselves, in the form required, before the first of June then ensuing, and, on the same condition, it confirmed the rights of persons who had purchased from those foreigners, saving however all rights already derived under warrants of escheat. This act declared further that no applications (it is supposed, for escheat warrants) should be admitted or received to the prejudice of such foreigners within the time so limited. The period for perfecting their naturalization was afterwards, by act of 1793, ch. 26, extended to the first of August 1794.

By an act of 1800, ch. 70, upon a suggestion that, under the existing regulations for the conduct of surveyors, difficulties had occurred in the execution of warrants of escheat, it is directed that where such warrants are for the surveying of land held in tenancy in common, and the part only of one or more of the tenants in common has become liable to escheat, the surveyor shall cause the whole of the land to be surveyed, and a certificate thereof returned into the land office, specifying the value of the whole tract and its improvements, and that after examination of the said certificate, and payment made