

time of ordering such dividend, it shall appear to the Court probable that there are just claims against the estate, which, by reason of the distant residence of the creditors, or for other sufficient reasons, have not been proved, but nevertheless may be, the Court shall, in ordering such dividend, leave a sum sufficient to pay to every such creditor a proportion equal to what shall be then paid to other creditors, which sum shall remain unappropriated until the final dividend shall be declared, or until the Court shall order its distribution. 5

Second dividend.

LVIII. The assignee shall, at such time as shall be appointed by the Court, within eighteen months after the date of the commission, make a second dividend of the said estate, in case the same was not wholly distributed upon the first dividend, and shall give notice of a meeting for that purpose of all the creditors of the bankrupt, in such manner as the Court shall direct; at which meeting the creditors who have not before proved their debts shall be allowed to prove the same, and the accounts of the assignees shall be then produced and examined, as provided in the preceding section, and shall be settled by the Court, and the balance shall, by a like order of the Court, be divided among all the creditors of the bankrupt, who shall then have proved their debts in proportion to their respective dates, subject to the provision hereinafter contained respecting any allowance to bankrupts: Provided that no creditor whose debt shall be proved at the second or any after dividend, shall be allowed to disturb any prior dividend, but he shall be paid so far only as the funds remaining unappropriated shall be sufficient therefor: and if at the time of appointing the meeting for the said second dividend, there shall remain any outstanding debts or other property due or belonging to the estate, which cannot, in the opinion of the Court, be collected or received without unreasonable or inconvenient delay, the assignees may, under the direction of the Court sell and assign such debts or other property in such manner as the Court shall direct, and a sale and assignment of such debts or other property may be made at any time, if under the special circumstances it shall appear to the Court that justice or necessity so require; and such second dividend shall be final, unless any suit relating to the estate be then depending, or any part of the estate be outstanding, or unless some other estate or effects of the said bankrupt shall afterwards come to the hands of the assignee, in which cases another dividend shall be made by order of the Court in manner hereinbefore provided, and further dividends shall be made in like manner as often as occasion shall require; and at every regular meeting of the creditors, those who have not before proved their debts shall be allowed to prove the same, and if after payment of all debts proved as aforesaid, any surplus shall remain in the hands of the assignees, the same shall be paid or reconveyed to, or revert in the bankrupt or his legal representatives. 10 15 20 25 30 35 40

Penalty for non-payment of dividends.

LIX. No action for any dividend shall be brought against any assignee, by any creditor who shall have proved under the bankruptcy, but if the assignee shall refuse to pay any such dividend, the Court may order payment thereof, with interest for the time that it shall have been withheld, and may also order the costs of the application. 45

Bankrupt may compound with his creditors.

LX. At the second general meeting of the creditors, or at any meeting specially called for that purpose, after the bankrupt shall have passed his final examination, such bankrupt, or his friends, (and in case of a 50