

costs hold and account for such penalty as part of the property and effects of the absconding Debtor); Provided always, that the Creditor who has sued out such Warrant of Attachment may proceed to judgment against the absconding Debtor in
 5 the Division Court, and on obtaining Judgment, and serving a memorandum of the amount thereof, and of his costs to be certified under the hand of the Clerk of the Division Court, he shall be entitled to satisfaction in like manner as and in rateable proportion with the other Creditors of the absconding Debtor
 10 who shall obtain Judgment as hereinafter mentioned.

Proviso :
 Creditor in
 Division Court
 may proceed
 to judgment,
 &c.

LVII. When several persons shall sue out Writs of Attachment against any absconding debtor, the proceeds of the property and effects attached and in the Sheriff's hands, shall be rateably distributed among such of the Plaintiffs in such Writs
 15 as shall obtain Judgments and issue execution, in proportion to the sums actually due upon such Judgments, and the Court or a Judge may, in their discretion, delay the distribution, in order to give reasonable time for the obtaining of Judgment against such absconding Debtor; and every Creditor who shall
 20 produce a certified memorandum from the Clerk of any Division Court, of his Judgment as aforesaid, shall be considered a Plaintiff in a Writ of Attachment who has obtained Judgment and issued execution, and shall be entitled to share accordingly; Provided always, that when the property and effects of
 25 the absconding Debtor shall be insufficient to satisfy the sums due to such Plaintiffs, none shall be allowed to share, unless their Writs of Attachment were issued and placed in the hands of the Sheriff for execution within six months from the date of the first Writ of Attachment, or in case of a Warrant of Attach-
 30 ment, unless the same was placed in the hands of the Constable or Bailiff before or within six months after the date of the first Writ of Attachment.

Proceedings if
 several persons
 take out writs
 against the same
 absconding
 Debtor.

Proviso :
 Who shall
 share if the
 property will
 not pay all.

LVIII. If after the period of one month next following the return of any execution against the property and effects of any
 35 absconding Debtor, or after a period of one month from a distribution under the order of the Court or a Judge, whichever shall last happen, and after satisfying the several Plaintiffs entitled, there shall be no other Writ of Attachment or execution against the same property and effects in the hands of the
 40 Sheriff, then all the property and effects of the absconding Debtor, or unappropriated monies the proceeds of any part of such property and effects, remaining in the hands of the Sheriff, together with all books of account, evidences of title or of debt, vouchers and papers whatsoever belonging thereto, shall
 45 be delivered to the absconding Debtor or to the person or persons in whose custody the same were found, or to any lawfully appointed Agent of the absconding Debtor, and thereupon the responsibility of the Sheriff in respect thereto shall determine.

When all the
 seizing Creditors
 are satisfied, the
 remaining property
 to be delivered up.