

## CHAPTER MCDXI.

A SUPPLEMENT TO THE SEVERAL ACTS OF ASSEMBLY FOR THE RELIEF OF INSOLVENT DEBTORS.<sup>1</sup>

(Section I, P. L.) Whereas by the laws of this commonwealth no person is entitled to the benefit of the several acts of assembly made for the relief of insolvent debtors, unless he or she shall have resided therein for the space of two years next before his or their imprisonment; and it is thought expedient to alter the same under certain limitations and restrictions, in order to prevent the necessity of frequent applications to the legislature by persons who may be unable to make payment and who are nevertheless without relief under the existing laws.

[Section I.] (Section II, P. L.) Be it therefore enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met and by the authority of the same, That so much of the laws of this commonwealth as deprives any person or persons by reason of his her or their not having resided therein for the space of two years next before his, her or their imprisonment, of the benefit of or relief under all or any of the acts of general assembly made for the relief of insolvent debtors, shall, as against him, her or them at whose suit or suits any such person or persons is, are or shall be imprisoned and so far as relates or shall relate to the debt or debts due to such plaintiff or plaintiffs, if the same shall not in the whole exceed the sum of one hundred pounds, be, and they are hereby repealed and made null and void.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That at all times from and immediately after the passing of this act the like benefit and relief

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<sup>1</sup> See original act for relief of insolvent debtors passed February 14, 1729-30, Chapter 315.

which, by the laws of this commonwealth made for the relief of insolvent debtors may or can be afforded to any of the inhabitants thereof who have resided therein for the space of two years next before his, her or their imprisonment, shall be extended and afforded under the same rules, regulations, exceptions and restrictions and on the same terms and conditions to all and every such person and persons as are in and by the said acts of general assembly or any of them mentioned, notwithstanding he, she or they has or have not resided or shall not have resided within this commonwealth for any time before his, her or their imprisonment. Provided nevertheless, That nothing herein contained shall extend to or operate against any other creditor or creditors of any such insolvent debtor or debtors than him, her or them at whose suit or suits such insolvent debtor or debtors is, are or shall be imprisoned. And provided further, That the provisions herein contained shall not extend to any person who is or shall be imprisoned at the suit or suits of one or more person or persons for any debt or debts exceeding one hundred pounds in the whole:

And whereas it has been found on experience that the long confinement for small debts, fines or forfeitures of those who are incapable of making satisfaction tends to the distress of their families as well as to the public injury by the burdens created and idle habits contracted thereby:

For remedy thereof:

[Section III.] (Section IV, P. L.) Be it further enacted by the authority aforesaid, That every person who now is or hereafter shall be confined in any gaol within this commonwealth in execution or otherwise for any debt or debts, sum or sums of money, or fine or fines, forfeiture or forfeitures, none of which do or shall exceed the sum of five pounds exclusive of costs and has or shall have remained so confined for the space of thirty days shall be discharged from such confinement and not be liable to be again imprisoned for the same and the sheriff, gaoler or keeper of the gaol in which such person is or shall be confined shall upon application to him by the person

so confined, discharge him or her out of custody if detained for such debt or debts, sum or sums of money, fine or forfeiture only and for no other cause.

Passed March 27, 1789. Recorded L. B.No. 3, p. 491. See the note to the Act of Assembly passed February 14, 1729-30, Chapter 315.

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## CHAPTER MCDXII.

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### AN ACT FOR GRANTING TRIALS AT NISI PRIUS IN THE COUNTY OF PHILADELPHIA.

(Section I, P. L.) Whereas the periods for holding the several terms of the supreme court at Philadelphia have by experience been found too short for the dispatch of and expediting the business of the said court owing partly to the great length of time necessary to the discussion of many important and complex cases which have been there determined, whereby many other trials have been unavoidably postponed and partly to a portion of each term being necessarily allotted for arguments of points of law and motions in actions removed from the several counties in the state, and it is conceived that a power in the said court to hold courts of nisi prius for the trial of such issues in fact as are or shall be depending in the said supreme court either by removal or otherwise from the city or county of Philadelphia would greatly expedite the determination of the business in the said supreme court and be a great relief to such suitors as should not be able from want of time to procure trials at bar.

[Section I.] (Section II, P. L.) Be it therefore enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met and by the authority of the same, That from and after the passing of this act the justices of the said supreme court in term time or a majority of them in vacation shall be empowered and they are hereby enjoined when occasion shall require to direct