

CHAPTER MDCXXXVI.

AN ACT FOR THE RELIEF AND SUPPORT OF POOR CONFINED DEBTORS.

Whereas many persons confined for debt in the prison called the debtors' apartment, in the city of Philadelphia, are so poor as to be unable to procure food for their subsistence, or fuel or covering in the winter season, and it is inconsistent with humanity to suffer them to want the common necessaries of life:

[Section I.] (Section I, P. L.) Be it therefore enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the inspectors appointed, and to be appointed, by the mayor and aldermen of the city of Philadelphia, and the justices of the county of Philadelphia, for the regulating and inspecting the common gaol of the said county, under an act of assembly of this commonwealth, passed the fifth day of April, in the year of our Lord, one thousand seven hundred and ninety, entitled "An act to reform the penal laws of this state,"¹ shall likewise be inspectors of the said debtors' apartment, and shall attend at the said debtors' apartment at least once in each week, and shall examine into and inspect into the management thereof, and the conduct of the keeper and his deputies, and shall make such orders and regulations, with regard to the well ordering and cleanliness of the said apartment, as shall be approved of by the mayor of the said city, and the president of the court of common pleas for the county of Philadelphia.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That it shall be part of the duty of the said inspectors, to examine into the condition of the several persons confined in the said debtors' apartment, with

¹ Chapter 1516.

regard to their want of the common necessaries of life, and to provide fuel and blankets for such of them as are incapable of obtaining them by reason of his or her poverty; and the charges of such provision for the said debtors, respectively, to be paid by the county treasurer of Philadelphia county, out of the county stock, under orders of the commissioners of the said county, who are hereby directed to draw such orders, from time to time, on certificates from the said inspectors, allowed by the mayor of the said city of Philadelphia and president of the court of common pleas of Philadelphia county; and the said inspectors shall make an allowance of seven cents per day for food to each of such poor debtors, as is incapable of supporting him or herself, the said latter allowance to be paid weekly by the plaintiff or plaintiffs, at whose suit or suits such debtor is confined; and the neglect or refusal of payment of such allowance, by or on behalf of such plaintiff or plaintiffs, on every Monday, after ten days notice hath been given of such allowance by the inspectors to the said plaintiff or plaintiffs, or his, her or their attorney, or agent or agents, shall operate as a discharge from confinement of such poor debtor.

[Section III.] (Section III, P. L.) Be it further enacted by the authority aforesaid, That the said keeper of the debtors' apartment in the city of Philadelphia, shall have and receive the annual sum of five hundred dollars, in quarterly payments, in lieu of all fees from the county stock, for his care, trouble and services, and that of his assistant or assistants in the said office, on orders to be drawn from time to time, by the commissioners of Philadelphia county, on the treasurer of that county.

(Section IV, P. L.) And whereas it may be necessary that alterations be made in the debtors' apartment in order to render the same convenient:

[Section IV.] Be it further enacted by the authority aforesaid, That the commissioners of the county of Philadelphia are hereby authorized to make such alterations in the said debtors' apartment, as they shall judge necessary, provided the expense of the said alterations does not exceed the sum of

four hundred dollars, which expense shall be paid by orders to be drawn by the commissioners on the treasurer of the said county.

(Section V, P. L.) And whereas it may not be practicable at present to extend all the provisions that are herein made for the debtors' confined in the debtors' apartment in the city of Philadelphia, to all the gaols of the several counties in this commonwealth: Therefore, in order to prevent the want of the common necessaries of life to such persons as are or may be confined for debt in the several gaols of the different counties:

[Section V.] Be it further enacted by the authority aforesaid, That the courts of common pleas in the several counties of this commonwealth be, and they are hereby, empowered and enjoined to make the like allowance and provision for fuel and blankets, for the use of such of the debtors confined in the gaols of their respective counties, as are incapable of obtaining them by reason of his or her poverty; the charges of such provision for the said debtors, respectively, to be paid by the treasurer of the county, out of the county stock, under orders of the commissioners of the said county, who are hereby directed to draw such orders, from time to time, on certificates of the said courts; and the said courts shall make an allowance, not exceeding seven cents per day, for food, to each of such poor debtors as is incapable of supporting him or herself, the said latter allowance to be paid weekly by the plaintiff or plaintiffs, at whose suit or suits such debtor is confined; and the neglect or refusal of payment of such allowance, by or on behalf of such plaintiff or plaintiffs, on every Monday, after notice given thereof by the said courts to the said plaintiff or plaintiffs, or his, her or their attorney or agent or agents, shall operate as a discharge from confinement of such poor debtor.

Passed April 4, 1792. Recorded (not given in rolls). See the original Act for the relief of insolvent debtors passed February 14, 1729-30, Chapter 315.