

IMPRISONMENT FOR DEBT - ABOLISHED - FRAUDULENT DEBTORS PUNISHED  
Act of Jul. 12, 1842, P.L. 339, No. 111  
AN ACT

Cl. 39

To abolish Imprisonment for debt, and to punish Fraudulent debtors.

**Compiler's Note:** Section 2(a) of Act 53 of 1978 provided that Act 111 is repealed except for sections 13 through 16 which are saved from repeal. Section 4(b) of Act 53 of 1978 provided that the repeal shall take effect two years after the general effective date of Act 53.

Section 13. Any person committed as above provided or who shall have given the bond specified in the eleventh section of this act, or against whom any suit shall have been commenced in a court of record, in which such person, by the provisions of this act, cannot be arrested or imprisoned, may present a petition to the court of common pleas of the county in which he shall be imprisoned, or in which the said suit is pending, or to the judge thereof, praying that he may assign his property and have the benefit of the provisions of this act.

Section 14. The petition aforesaid shall set forth all the matters required to be set forth by the ninth section of the act of the sixteenth day of June, one thousand eight hundred and thirty-six, entitled "an act relating to insolvent debtors," and shall be verified in like manner. Upon the presentation of the said petition the court or judge shall fix a time for the hearing of the same, which shall be during the next session of the court of common pleas: Provided, Thirty days shall intervene between the presentation of the petition and the time for hearing the same, and the petitioner and his creditors shall be heard before the judges of the court of common pleas, unless the said court shall make an order that a single judge shall hear the case and decide it, in which case the judge shall have all the powers herein conferred upon the court.

Section 15. The court or judge shall proceed agreeably to the provisions of the aforesaid act of the sixteenth day of June, one thousand eight hundred and thirty-six, in causing notice to be given to the creditors of the petitioner, in deciding upon his case, in making orders, in permitting an assignment to be made by said petitioner, in the oath to be administered to him, and in all proceedings thereafter touching his property, and shall have the same power over the trustees to whom an assignment shall be made as is therein specified.

Section 16. The trustees of any debtor, to whom an assignment shall be made under this act, shall have the same powers, shall be liable to the same duties, and shall proceed in the same manner in all respects, to discharge the same as is given, imposed upon, and required of the trustees under the aforesaid act, and the rights of creditors and their remedies, shall be the same as under the said act, and the effect of a discharge of the petitioner by the said court shall be the same

as under the said act so far as regards both his person and property, and all rights and remedies given by the said act, and all proceedings, both civil and criminal thereby authorized, may be had the same as if they were herein fully enacted at length, so far as the same can be applied to the case of a debtor upon a contract only.