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The Law Of Debtors And Creditors Text Cases And Problems

A careful analysis of the fundamentals of bankruptcy law.

In 2005, more than two million

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Americans—six out of every 1,000 people—filed for bankruptcy. Though personal bankruptcy rates have since stabilized, bankruptcy remains an important tool for the relief of financially distressed households. In *Bankrupt in America*, Mary and Brad Hansen offer a vital perspective on the history of bankruptcy in America,

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beginning with the first lasting federal bankruptcy law enacted in 1898.

Interweaving careful legal history and rigorous economic analysis, Bankrupt in America is the first work to trace how bankruptcy was transformed from an intermittently used constitutional provision, to an indispensable tool for business, to a

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central element of the social safety net for ordinary Americans. To do this, the authors track federal bankruptcy law, as well as related state and federal laws, examining the interaction between changes in the laws and changes in how people in each state used the bankruptcy law. In this thorough investigation, Hansen and Hansen reach

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novel conclusions about the causes and consequences of bankruptcy, adding nuance to the discussion of the relationship between bankruptcy rates and economic performance.

Keyed to Courses Using Warren and Westbrook's The Law of Debtors and Creditors

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Cases And Problems
And Wherein Merchants and Other Traders Will Also Find Information Calculated to Show Their True Interests in Regard to These Laws

To Which Is Subjoined a Table of the Courts in England and Wales for the Recovery of Debts

Debt, Dishonor, and the Law in France

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between Revolutions

Adaptable to Courses Utilizing Warren and Westbrook's Casebook on the Law of Debtors and Creditors. Debtor-creditor Cases and Other Materials on the Law of Debtors' Estates

Bankruptcy in America is a

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booming business, with hundreds of thousands of ordinary Americans filing for bankruptcy each year. Is this dramatic growth a result of mushrooming debt or does it reflect a moral decline that

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permits the middle class to evade their debts? As *We Forgive Our Debtors* addresses these questions with hard empirical data drawn from bankruptcy court filings. The authors of this multidisciplinary

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study describe the law and the statistics in clear, nontechnical language, combining a thorough statistical description of the social and economic position of consumer bankrupts with human portraits of the debtors

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and creditors whose journeys
have ended in bankruptcy court.
Book jacket.

The Law of Debtors and
Creditors is a new case book for
a three-unit law school course
focusing on the basic principles

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of American debtor-creditor law. The book focuses on the law of execution on money judgments, using New York law as a paradigm. It also thoroughly covers fraudulent conveyance law, as it exists under state law

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and under bankruptcy in general. The book also explores the basic principles of chapter 7 liquidation, as well as a thorough review of the avoidance powers granted to a bankruptcy trustee under the Bankruptcy Code.

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Excluded from this volume is coverage of issues unique to consumer bankruptcy, on which the author has published a separate case book with Vandephas Publishing, LLC.
About the author: David Gray

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Carlson is Professor of Law at the Benjamin N. Cardozo School of law. He is the author of a treatise on secured credit in bankruptcy and of over sixty law review articles on various aspects of bankruptcy and

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debtor-creditor law. Many of these articles have involved procedural and constitutional issues connected with the enforcement of money judgments obtained in state and federal courts and issues

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involving fraudulent conveyance and voidable preference law, all of which are implicated in the current volume. He has taught a basic debtor-creditor course for over 25 years. Besides teaching at Cardozo Law School, Carlson

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has taught at the George
Washington School of Law, the,
University of Miami Law School,
the University of Michigan Law
School, Washington & Lee
School of Law, and the
Interdisciplinary Institute at

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Herzlya, Israel.

Debtor-creditor Law and
Practice

With Extracts of Importance
From the Evidence of the Late
Sir Samuel Romilly, and Other
The Law of Debtor and Creditor

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Under the Code and
Consolidated Laws, With Forms
(Classic Reprint)
Comprising the Bankruptcy Act,
1869, the Debtors Act, 1869, the
Insolvent Debtors and
Bankruptcy Repeal Act, 1869 :

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Together with the General Rules
and Orders in Bankruptcy, at
Common Law and in the County
Courts : with the Practice on
Procedure, Copious Notes,
References, and a Very Full
Index

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The Law of Debtors' and
Creditors' Rights

***Using a hands-on approach,
this text bridges the difference
between understanding
bankruptcy concepts and
applying them with***

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confidence. Broad coverage includes bankruptcy law, debt creation, secured transactions, the law of liens, and debt collection. The Fourth Edition of The ABCs of Debt: A Case Study Approach

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***to Debtor/Creditor Relations
and Bankruptcy Law has been
substantively revised to
enable more efficient and
focused instruction and to
make it easier to cover the
material in a single semester.***

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Major new features for this edition include Highlighted Cases followed by Real-Life Application Exercises, Key Concepts that now appear at the beginning of each chapter, and Entertaining Information

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Box feature. Major new features for this edition include: Highlighted Cases followed by Real-Life Application Exercises Key Concepts that now appear at the beginning of each chapter

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***Entertaining Information Box
feature Substantive revision to
enable more efficient and
focused instruction and to
make it easier to cover the
material in a single semester:
Pre-bankruptcy chapters***

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optional use by the instructor
Shifted emphasis to highlight
the important***

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consumer/business

***bankruptcy distinction Forms
for the three bankruptcy case
studies comply with the
important December 2015
amendments and dollar
amounts for Bankruptcy Code***

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provisions subject to the triennial dollar adjustment mandate of §104 revised as of April 1, 2016. Updates include discussion of every bankruptcy decision of the U.S. Supreme Court

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***announced since the last
edition: Bank of America, N.A.,
v. Caulkett; Law v. Siegel;
Harris v. Viegelahn; Executive
Benefits Ins. Agency v.
Arkison, and Wellness
International Network, Ltd., v.***

***Sharif ; Husky Int'l Electronics,
Inc. v. Ritz Numerous citations
of new lower court decisions
resulting from the 2005
BAPCPA amendments to the
bankruptcy code***

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Casnote Legal Briefs

Bankruptcy

On the Law of Debtor and

Creditor; Or, A Summary of

Arguments for and Against the

Present System; Addressed to

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***the Lord High Chancellor
Bankruptcy in the Age of
American Independence
The Law of Debtors and
Creditors
The law of private
arrangements between***

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debtors and creditors

Republic of Debtors

After your casebook, a Casenote Legal Brief is your most important reference source for the entire semester. The series is trusted for its expert summary of the principal

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Quicknotes are short definitions of the legal terms used at the end of each brief. Use the Glossary in the end of your text to define common Latin legal terms. Such an overview, combined with case analysis, helps broaden your

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understanding and supports you in classroom discussion. Each title is keyed to the current edition of a specific casebook; it s your trusted guide to the text throughout the semester. The brief for each principal case in the casebook

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saves you time and helps you retain important issues. Each brief has a succinct statement of the rule of law/black letter law, description of the facts, important points of the holding and decision, and concurrences and dissents included

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in the casebook excerpt. This overview is combined with a short analysis: all to help you broaden your understanding and support you in classroom discussion. Quicknotes at end of each brief give you short definitions of the

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legal terms used. A handy Glossary of common Latin words and phrases is included in every Casenote. Detailed instruction on how to brief a case is provided for you. A free Quick Course Outline accompanies all Casenote Legal

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Briefs in these course areas: Civil Procedure, Constitutional Law, Contracts, Criminal Law, Criminal Procedure, Evidence, Property, and Torts.

Excerpt from Practice in Special Proceedings in the Courts of

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Record of the State of New York,
Vol. 2 of 2: Under the Code and
Consolidated Laws, With Forms
Federal Bankruptcy Law 3 - 5, Mb,
70 Bankruptcy Law; 150 Debtor
and Creditor Law), 1098. The
Consolidated Laws contain a

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statute under the above title (chapter 12, Consolidated Laws 1909) described by the consolidators as a new law consolidating the statute relating to debtors and creditors. The report of the consolidators on the subject

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contains the following notes which state fully the reasons for the consolidation and the sources from which it is derived. First: General note under title as reported: This proposed Consolidated Law was made necessary to take care of the

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provisions relating to general assignments for the benefit of creditors which exist in the session laws as an independent act, certain provisions in the Revised Statutes relating to the powers of trustees of insolvent debtors and proceedings

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in the Code of Civil Procedure relating to insolvents. This arrangement will make a reference to these matters more convenient and will relieve the Code of proceedings that are not resorted to frequently, but which will help to

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swell its volume. The name of this chapter was adopted as one which is commonly used as a heading in digests and legal works. Second: Under Notes to text, Scope of the Law. The Debtor and Creditor Law is proposed as a new chapter of the

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Consolidated Laws. This law was made necessary by the fact that there existed independent statutes not contained in the General Laws or Code of Civil Procedure, as for instance, L. 1877, chap. 466; L. 1893, chap. 697, and Revised

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Statutes, pt. 2, chap. 5, tit. 1, art. 8, which could not be assigned to any present General Law. It was deemed expedient and convenient to place these in this new law with the relevant proceedings now in the Code, some of which are little used

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as, for instance, Insolvent's discharge from debts, Insolvent's exemption from arrest and imprisonment and Judgment debtor's discharge from imprisonment. Debtor and Creditor is a well-recognized head in digests and was

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adopted because the material included in the law related to both debtors and creditors, not merely insolvent debtors. About the Publisher Forgotten Books publishes hundreds of thousands of rare and classic books. Find more

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the original format whilst repairing

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imperfections that remain are intentionally left to preserve the state of such historical works. Problems and Materials on Debtor and Creditor Law Casenote Legal Briefs for Debtors and Creditors, Keyed to Warren,

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Westbrook, Porter, and Pottow
The Logic and Limits of
Bankruptcy Law

The Law of Bankruptcy with Added
Chapters on General Law of
Debtor and Creditor and Questions
and Problems

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Tax Aspects of Bankruptcy Law
and Practice

An Historical Perspective on the
Law of Debtor and Creditor

Bankruptcy attorneys will be
intrigued by this early
comprehensive treatment of

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the law governing voluntary assignments for the benefit of creditors. i.e., transfers not under the compulsion of law by debtors of their property in trust for the payment of their debts. Presentation of the

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subject is made in the time order in which its various aspects occur. Thousands of cases are cited along the way.

This is the long-awaited second edition of this highly regarded comparative

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overview of corporate law. This edition has been comprehensively updated to reflect profound changes in corporate law. It now includes consideration of additional matters such as the highly topical issue of

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enforcement in corporate law, and explores the continued convergence of corporate law across jurisdictions. The authors start from the premise that corporate (or company) law across jurisdictions

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addresses the same three basic agency problems: (1) the opportunism of managers vis-à-vis shareholders; (2) the opportunism of controlling shareholders vis-à-vis minority shareholders; and (3) the opportunism of

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shareholders as a class vis-à-vis other corporate constituencies, such as corporate creditors and employees. Every jurisdiction must address these problems in a variety of contexts, framed by the

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corporation's internal dynamics and its interactions with the product, labor, capital, and takeover markets. The authors' central claim, however, is that corporate (or company) forms are

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fundamentally similar and that, to a surprising degree, jurisdictions pick from among the same handful of legal strategies to address the three basic agency issues. This book explains in detail how (and

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why) the principal European jurisdictions, Japan, and the United States sometimes select identical legal strategies to address a given corporate law problem, and sometimes make divergent choices. After an

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introductory discussion of agency issues and legal strategies, the book addresses the basic governance structure of the corporation, including the powers of the board of directors and the

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shareholders meeting. It proceeds to creditor protection measures, related-party transactions, and fundamental corporate actions such as mergers and charter amendments. Finally, it concludes with an

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examination of friendly acquisitions, hostile takeovers, and the regulation of the capital markets.

A History of Bankruptcy Law in America

A History of Debtors, Their

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Creditors, and the Law in
the Twentieth Century
Bankruptcy and
Debtor/creditor
Bankrupt in America
The Law and Practice in
Bankruptcy
The ABCs of Debt

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For a clear and straightforward explanation of the complexities of bankruptcy law, turn to this fully revised, problem-oriented casebook. PROBLEMS AND MATERIALS ON DEBTOR AND CREDITOR LAW, Third Edition, demystifies the new

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Bankruptcy Act as it illustrates and demonstrates important rules and concepts. This student-friendly casebook takes a practical approach To The subject: uses a lively mix of problems, text, and cases comprehensive coverage

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provides a solid introduction To The Bankruptcy Code, statutory rules, and issues of bankruptcy law popular problems approach allows students to focus on the request;nuts and boltsrequest; of the law as it is actually applied in practice carefully

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chosen cases demonstrate how the overall bankruptcy system works clear and lucid writing style sensible organization, beginning with an overview of bankruptcy law manageable length, due To The concise, efficient, and effective

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format of the book The new edition addresses: the new Bankruptcy Act, recently enacted by Congress after eight years of deliberation major statutory changes in bankruptcy law reflected in completely updated material new cases necessary

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adjustments for class preparation, conveniently presented in the updated Teacherrequest;s Manual After your casebook, Casenote Legal Briefs will be your most important reference source for the entire semester. It is the most

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chapter opener provides rule of law and page number for each brief ;Quick Course Outline chart included with major titles ;Revised glossary in dictionary format
Cases and Materials on Louisiana Security Rights

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And to the Law of Partnership,
Circulated by the Committee of
Merchants and Traders of the City of
London, Appointed to Promote the
Improvement of the Law Relating to
Debtor and Creditor
As We Forgive Our Debtors

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Keyed to Warren and Westbrook's
the Law of Debtors and Creditors
Remarks on the Present State of the
Law of Debtor and Creditor

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confidence by law*

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professors across the country, BANKRUPTCY AND DEBTOR/CREDITOR: Examples & Explanations enters its Second Edition helping students Understand The many rules, principles,

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and policies of bankruptcy and debtor/creditor law.

Author Brian Blum draws on his own teaching experiences to respond to student needs. Adhering to a proven-effective format,

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he begins with basic concepts, then gradually introduces more advanced issues. Demystifying debtor/credit law and facilitating comprehension, The book

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promotes effective study through: exceptionally clear writing organization that tracks the leading casebooks problems and answers that allow students to test their

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*understanding BANKRUPTCY
AND DEBTOR/CREDITOR:
Examples & Explanations,
Second Edition, now
incorporates: updated text
and new examples that
reflect changes in the*

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Bankruptcy Code the latest developments in debt adjustment and reorganization, support obligation in bankruptcy, and bankruptcy discharge new material on jury

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trials reorganized problems and answers - answers no longer immediately follow the problems more streamlined material with a sharper, tighter focus on the

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essential topics

This guidebook comprehensively covers the legal issues related to the collection of all types of debts, including: business and consumer

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debts, and secured and unsecured transactions. Judicial debt collection, UCC Article 9 provisions for debt regulation, statutory liens, and other debtor-creditor issues are

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presented.

*The Law of Creditors' and
Debtors' Rights*

*A Treatise on the Law of
Debtor and Creditor*

*The Laws of Debtor and
Creditor as They are and*

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*as They Ought to Be,
Familiarly Explained for
Those who are Unacquainted
with Legal Diction
The Law of Debtor and
Creditor in the United
States and Canada*

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*The Anatomy of Corporate
Law*

*A Treatise on the Law
Between Debtor and
Creditor, Showing Some of
the Principal Defects in
the Present Bankrupt*

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System, and Proving Them by Several Interesting Cases

Bankruptcy in America, in stark contrast to its status in most other countries, typically signifies not a debtor's last gasp but an opportunity to catch one's breath and recoup. Why has the nation's legal

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system evolved to allow both corporate and individual debtors greater control over their fate than imaginable elsewhere?

Masterfully probing the political dynamics behind this question, David Skeel here provides the first complete account of the remarkable journey American bankruptcy law has taken from its beginnings in 1800,

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when Congress lifted the country's first bankruptcy code right out of English law, to the present day. Skeel shows that the confluence of three forces that emerged over many years--an organized creditor lobby, pro-debtor ideological currents, and an increasingly powerful bankruptcy bar--explains the distinctive contours of

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American bankruptcy law. Their interplay, he argues in clear, inviting prose, has seen efforts to legislate bankruptcy become a compelling battle royale between bankers and lawyers--one in which the bankers recently seem to have gained the upper hand. Skeel demonstrates, for example, that a fiercely divided bankruptcy

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commission and the 1994 Republican takeover of Congress have yielded the recent, ideologically charged battles over consumer bankruptcy. The uniqueness of American bankruptcy has often been noted, but it has never been explained. As different as twenty-first century America is from the horse-and-buggy era origins of

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our bankruptcy laws, Skeel shows that the same political factors continue to shape our unique response to financial distress. Debt was an inescapable fact of life in early America. At the beginning of the eighteenth century, its sinfulness was preached by ministers and the right to imprison debtors was unquestioned. By

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1800, imprisonment for debt was under attack and insolvency was no longer seen as a moral failure, merely an economic setback. In *Republic of Debtors*, Bruce H. Mann illuminates this crucial transformation in early American society. From the wealthy merchant to the backwoods farmer, Mann tells the

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personal stories of men and women struggling to repay their debts and stay ahead of their creditors. He opens a window onto a society undergoing such fundamental changes as the growth of a commercial economy, the emergence of a consumer marketplace, and a revolution for independence. In addressing debt

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Americans debated complicated questions of commerce and agriculture, nationalism and federalism, dependence and independence, slavery and freedom. And when numerous prominent men—including the richest man in America and a justice of the Supreme Court—found themselves imprisoned for debt or forced to become

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fugitives from creditors, their fate altered the political dimensions of debtor relief, leading to the highly controversial Bankruptcy Act of 1800. Whether a society forgives its debtors is not just a question of law or economics; it goes to the heart of what a society values. In chronicling attitudes toward debt and

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bankruptcy in early America, Mann explores the very character of American society.

Practice in Special Proceedings in the Courts of Record of the State of New York, Vol. 2 of 2

Bankruptcy and Consumer Credit in America

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A Treatise on the Law and Practice of
Voluntary Assignments for the Benefit of
Creditors

Casenote Legal Briefs

On the Law of the Debtor and Creditor,
Or, a Brief Summary of Leading
Arguments for and Against the Present
System

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Adapted to the Wants of Merchants and Lawyers

This work has been selected by scholars as being culturally important, and is part of the knowledge base of civilization as we know it. This work was reproduced from the original artifact, and remains

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keeping this knowledge alive and relevant.

Excerpt from A Treatise on the Law Between Debtor and Creditor, Showing Some of the Principal Defects in the Present Bankrupt System, and Proving Them by Several Interesting Cases: With Extracts of

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Importance From the Evidence of the Late Sir Samuel Romilly, and Other Witnesses, Taken Before Select Committee of the House of Commons On reading the Minutes evidence taken before the Select Committee, on the Bankrupt Laws, I regretted to find, that the evidence was chiefly con

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fined to the supposed interests of creditors, while the interests of debtors and their necessary protection from injustice and oppression, have been but slightly noticed. The best way to protect the creditor is, I presume, to begin with doing justice to the debtor; for, the same cause

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which makes it so easy to oppress the debtor produces injury to the creditor. Besides, -it ought not to be forgotten. About the Publisher Forgotten Books publishes hundreds of thousands of rare and classic books. Find more at www.forgottenbooks.com This book is

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missing page, may be replicated in our edition. We do, however, repair the vast majority of imperfections successfully; any imperfections that remain are intentionally left to preserve the state of such historical works."

A Popular Exposition of the Law of

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Debtor and Creditor; ... also the law of landlord and tenant, etc

Cases and Materials on the Law of Creditors' Rights

Replies from Foreign Countries to Questions Relating to the Law of Debtor and Creditor

In the Red and in the Black

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Examples and Explanations

Debt's Dominion

"The most dishonorable act that can dishonor a man." Such is Félix Grandet's unsparing view of bankruptcy, adding that even a highway robber—who at least "risks his own life in attacking you"—is

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worthier of respect. Indeed, the France of Balzac's day was an unforgiving place for borrowers. Each year, thousands of debtors found themselves arrested for commercial debts. Those who wished to escape debt imprisonment through bankruptcy

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sacrificed their honor—losing, among other rights and privileges, the ability to vote, to serve on a jury, or even to enter the stock market. Arguing that French Revolutionary and Napoleonic legislation created a conception of commercial identity that tied

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