

SUE REID

Title

Bankrupts and Insolvents in mid-nineteenth century England: Some available records and sources

Summary

Readers of Charles Dickens' work and biographical material would be familiar with the spectre of bankruptcy and debtors' prisons. This presentation will examine the difference between bankrupts and insolvent debtors, and look at some available sources to discover more information about those people unable to pay their debts.

Abstract

In England, there was a distinction between bankrupts and insolvent debtors in the mid-nineteenth century. Before 1869, to qualify as a bankrupt a person had to make their living by buying and selling. Those who could apply for bankruptcy were traders, skilled craftsmen, and, occasionally, farmers. After 1842, such people could declare themselves bankrupt if they owed more than £50. Creditors could also petition that a person be declared bankrupt. The creditors could make a claim on any assets and the court would decide how the bankrupt's assets would be divided.

An insolvent debtor was a person, other than traders and skilled craftsmen, who could not meet their debts. Debtors could be confined to debtors' prisons indefinitely until they could pay their debts or find someone to do it for them. This practice continued until 1869.

In 1861, the law was amended so that insolvent debtors could apply for bankruptcy.

Sources of information on bankrupts and insolvent debtors include The National Archives, and other Archives offices, *The London Gazette*, *The Times*, and regional newspapers. Fictional accounts, by Dickens, Thackeray, and others, provide additional detail.

This presentation will examine changes in debt and bankruptcy laws during the nineteenth century, set against the experience of one man who was declared bankrupt and then discharged. He was later imprisoned for debt, and finally declared bankrupt again after the law changed in 1861.

Audience

Intermediate