



*New York State Archives*

**New York State Supreme Court of Judicature (New York)  
Insolvency Papers J2000**

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## Overview of the Records

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<b>Repository:</b>	New York State Archives
<b>Summary:</b>	This series includes documents relating to the assignment and sale of property of insolvent debtors who petitioned for relief, or the attachment and sale of property of "absconding, concealed, or non-resident debtors" in response to the petition of creditors. Most of the petitions were directed to the Recorder of the City of New York. Other petitions were directed to a justice of the Supreme Court of Judicature. Documents include petitions of debtors and their creditors requesting sale of property; affidavits of creditors; accounts of debts owed to creditors; orders for assignment of property to trustees for sale; and documents discharging the debtors from further liability. Most of the files related to debtors residing in New York City. Some files relate to debtors elsewhere in the state.
<b>Creator:</b>	New York (State). Supreme Court of Judicature (New York)
<b>Title:</b>	Supreme Court of Judicature (New York) insolvency papers
<b>Quantity:</b>	8.6 cubic feet
<b>Quantity:</b>	20 boxes
<b>Inclusive Date:</b>	1784-1828
<b>Bulk Date:</b>	bulk 1786-1815
<b>Series:</b>	J2000

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## Arrangement

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Alphabetical by name of debtor.

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## Administrative History

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Laws of 1786 and 1788 and an amending act of 1801 empowered any justice of the Supreme Court, or a judge of a Court of Common Pleas, or the Chancellor, to receive the petition, make the assignment, and discharge the debtor. In New York City and County the Recorder or the Mayor presided over the Court of Common Pleas, which was generally known as the Recorder's Court or Mayor's Court. A law of 1811 continued that jurisdiction. Legislation of 1829 supplanted all previous acts concerning voluntary assignments for benefit of creditors, but this series contains no files relating to that type of case after the year 1829.

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## Scope and Content Note

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Insolvency papers include documents relating to the assignment and sale of property of insolvent debtors who petitioned for relief, or the attachment and sale of property of "absconding, concealed, or non-resident debtors." A typical file contains the following documents: petition of insolvent debtor and his creditors (representing three-fourths of the total amount owed by him) requesting that the insolvent's property be assigned to a trustee for sale, or petition of creditors of an absconding, concealed or non-resident debtor; affidavit of each petitioning creditor giving amount of debt and stating that he has received no payment for requesting this assignment; accounts of debts owed by the insolvent debtor to all creditors, giving their names and the amounts; inventory and account of the real and personal estates of the insolvent debtor; order to advertise the impending sale of this property, directing other creditors to show cause why the sale should not be made; affidavit of publication, including clippings of newspaper advertisements; order for assignment of the insolvent's property to trustees for sale for benefit of the creditors; certificate of assignment by trustees (assignees), stating that the property has been delivered to them; and affidavit or report of assignment discharging the insolvent from further liability for debts incurred prior to the date of his petition.

The file typically includes the following documents: petition by creditors for attachment of debtor's property, itemizing and totaling all debts; affidavits of other persons stating that the debtor has absconded or concealed himself; warrant to sheriff to attach property of the debtor; and appraisal of real property and inventory of personal property of the insolvent. Other documents in a file for this type of debtor correspond to those found for voluntary assignments: court order appointing trustees to dispose of property, order for publication of notice of sale and affidavit of publication, and final report on attachment proceedings. The proceedings in the case of an absconding, concealed, or non-resident debtor were governed successively by laws of 1786, 1801, and 1829.

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## Related Information

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### Related Material

JN534 Petitions for attachment of property of absconding, concealed, and non-resident debtors

J0154 Insolvency papers (Albany)

J0156 Insolvency papers (Utica)

J0120 Index of insolvent assignments filed in New York City.

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## Use of Records

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### Access Restrictions

Most of the documents are fragile; use and copying may be restricted.

### Alternate Formats AvailableAlternate Formats Available

A collection of roughly 2,000 files for insolvent debtors having Jewish sounding names is held on microfilm by the American Jewish Historical Society in New York City. The microfilm has been digitized and indexed by Ancestry.com. The Ancestry database is titled "AJHS Selected Insolvent Debtor's Cases, 1787-1861." Many of these files are found in Series J2000 as well as other insolvent debtor files now held by the New York City Municipal Archives.

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## Administrative Information

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### Existence and Location of Originals

About 2,000 files for insolvent debtors having Jewish sounding names are held on microfilm by the American Jewish Historical Society in New York City. The microfilm has been digitized and indexed by Ancestry.com. The Ancestry database is titled "AJHS Selected

Insolvent Debtor's Cases, 1787-1861." Many of these files are found in series J2000 as well as other insolvent debtor files now held by the New York City Municipal Archives.

### **Custodial History**

The Court of Appeals placed these records on deposit at the Historical Documents Collection, Queens College, from 1973-1982.

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### **Access Terms**

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- Adjudicating
- Debtor and creditor
- Courts
- Judicial records
- Orders
- Affidavits
- Accounts
- New York (State)
- Bankruptcy
- Petitions
- New York (State). Court of Appeals
- New York (State). Supreme Court of Judicature