

**THE VICTIM OF
CHANCERY; OR, A
DEBTOR'S EXPERIENCE**

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The victim of chancery; or, A debtor's experience by Frederick Jackson

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FREDERICK JACKSON

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THE
VICTIM OF CHANCERY:

OR

A DEBTOR'S EXPERIENCE.

BY THE AUTHOR OF "A WEEK IN WALL STREET."

Frederick Jackson

"Why, what a bright and fearless brow is here!
Is this man guilty? Look on him, Montalban!"

NEW-YORK:

1841.

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P R E F A C E .

IN appearing before the public as the writer of story, the author, as in a former publication, disavows all ambition to mingle with the literary world, in which he knows and feels himself to be unqualified to hold a position.

These pages, like the former also, have been written during unemployed hours, when the writer could not conveniently find other or more profitable occupation for himself:—but in submitting them for publication, he feels, that he has touched upon a subject which deeply interests the whole country. Pity it is that it should rest in so feeble hands.

Our literary men, who are writers of story (which unhappily, in these days, constitutes the majority of reading,) seem disposed to roam altogether in the fields of fancy, instead of taking up those sub-

jects in which our interest and daily occupations are engaged; and thus by embellishing fact with the liveliness of their fancy, to make their works not only *interesting*, but productive of real benefit in the ordinary occupations of life; and there are many who believe, that if a greater portion of their talents were thus directed, their efforts would result in a more complete success, if possible, than at present.

While, therefore, the writer makes no attempt at competition with them for the prize of distinction, he feels justified in putting forth this publication, as one, which, if read, understood and applied, is calculated to correct opinions and abuses, of which all, even those who have not suffered by them, loudly complain.

If this book has any merit in the mind of the author, it is this; that, the characters delineated are real, and the circumstances detailed are true, and no other liberty has been taken with truth, so far as the material facts are concerned, than to combine in single characters, the sufferings, hardships, and privations resulting from the arbitrary exercise of chan-

cery powers, rules and practice, of several individuals on one side, and the cruelty, oppression and villainy of lawyers and men of business on the other ; while he hopes that by the introduction of characters which relieve the dark shades of the picture, he has not laid himself open to the charge of bitterness or malevolence.

In asserting the truth of the narrative, (for it is nothing more,) the writer would also qualify by saying, that no further attempt at ornament has been made than seemed to him necessary, to make a story of facts readable by such as look principally to amusement ; and by introducing the ladies, who are oftentimes the greatest sufferers, he hopes to enlist their feelings and sentiments in the correction of abuses, which has been attempted in vain, and will be attempted in vain, while the interests of such a body of lawyers, unchecked by public opinion, are enlisted in favor of their continuance. The book is not written for lawyers' criticism. To have followed them any more closely, or to have made it any more technical, would have marred our

story, and it is the effect and not the form of practice which the author has attempted to delineate.

To treat so grave a subject in the form of a story, (perhaps they will call it a novel,) will undoubtedly meet the censure, and perhaps the contempt of those grave gentlemen, who consider legislative discussion, or newspaper argument, the only legitimate ground to meet it on; but their interests are too nearly allied to the present condition of things—they are not the men whom we seek as readers, and we neither court their favor nor shun their opinion. We admit their capacity to judge, and their disposition to do; but their opinions, arrayed against interest, have already proved futile in the correction of the abuses of which we complain. And why? For the want of a more general enlistment of public opinion and sympathy in the matter, and for the want of a more general distribution of knowledge, beyond the circle of the “victims” of the *particular hardships*, and unequal operation of chancery practice and proceedings.

Our prison doors, thank God, are now shut

against the incarceration of a man for *debt merely*; but without the passage of a bankrupt act, and while the court of chancery exists in its present form and its present rules of practice, it is in the power of malicious men, and heartless creditors, as effectually to imprison a man's energies, as if his body was inclosed within the walls of a prison.

If but one step of progress towards the desired end is accomplished by his book, the writer will think himself compensated for his trouble, which indeed he has already been, by the occupation which the writing has afforded him.