

Abstract

in English

The thesis aims especially on questions concerning law of exchange which are not satisfactorily answered yet neither by academical community nor by judicial decisions made by the Czech courts and those which should be, from the point of my view, answered differently. In the first chapter, I tried to critically review various doctrinal definitions of bill of exchange and to draw up my own definition which affects bill of exchange complexly in its entirety. Second chapter is divided into three subdivisions chronologically. First subdivision refers to proofs of ancient documents congenial to contemporary bills of exchange. I have come to conclusion that the existence of bills of exchange can be proven as far as the beginning of the first millenium. Institute simmilar to the one of bill of exchange may be found in the Roman civil law. The second subdivision of second chapter assays medieval bills of exchange very thoroughly more than any other thesis on the same subject. All my ideas given are supported by quotations. The third subdivision briefly explains development of law of exchange in the modern period. The third chapter is dedicated to the general purpose of law of exchange and its modern usage with extra amount of attention paid to blank bills of exchange and collateral drafts. Legal objections to bills of exchange and its division is the topic of fourth chapter. Special part deals with endorsements on bills and its influence on the possible application of relative objections to bills. In this part I also try to argue about the negative judicial decisions of Czech courts. In the last subdivision of fourth chapter I describe causal objections to bills and again critically review the judicial decisions relative to the subject matter of the thesis. The epilogue reviews the thesis and summarizes my opinions.