

Court System in England

Common Law

Where people in general turned: to determine if contract was valid, if someone was guilty of murder; handled everyday justice

three Courts:
King's Court,
Exchequer,
Common Pleas

Equity Law (Chancery)

To get redress if common law ruling was unfair; began to be the place that "took care": trusts, guardianships, estates of lunatics

Chancery court: people would petition the king's chancellor as an appeal.

Canon Law (church)

handled affairs of those in the church and affected by church matters; divorces

Four courts (most duties of this branch of law eventually transferred)



Figure 1: Chancery Court in the early 19th century at Lincoln's Inn Hall

Source: Wikipedia Commons

Chancery:

Originally formed because of the "inequity" sometimes seen in common law courts

Was able to overturn that court's decisions

Met in Westminster during term or at Lincoln Inn (as in *Bleak House*; see photo opposite).

Over the centuries became very cumbersome and was continually talked of as needing reform

The case was modeled after (Jennings) began in 1798 when he left 1.5m in a will. It was still not settled by 1915, though costs of the case had risen to 250,000

No evidence could be introduced; you could only get info by questioning people. This is why you can be in

contempt of Chancery and put in jail (APP D). Participants and lawyers couldn't participate in the questioning. (ex) : If you wanted to know if John Jones owned a house...

Reform in 1850s and in 1870s (common law and equity now just Supreme Court)

Barristers argued a case in Chancery Court, after having been hired by a solicitor who had been hired by the client.

Q: Where do we see some of these issues apparent in sections of the Appendix D? In *Bleak House*?

Source: Pool, Daniel. *What Jane Austen Ate and Charles Dickens Knew*. Touchstone, 1993.