

Jarndyce v. Jarndyce

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Jarndyce v. Jarndyce the Chancery suit around which the plot of Dickens's Bleak House (1853) revolves, and which over the years has destroyed the happiness and lives of most members of the family involved as they become obsessed with pursuing their claims and waiting for the long-expected judgement; in the end, the costs of the case are found to have consumed the whole property.

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Jarndyce and Jarndyce

Jarndyce and Jarndyce (or *Jarndyce v Jarndyce*) is a fictional court case in *Bleak House* (1852–53) by Charles Dickens, progressing in the English Court of Chancery. The case is a central plot device in the novel and has become a byword for seemingly interminable legal proceedings.

Dickens refers to the case as "Jarndyce and Jarndyce", the way it would be spoken of. The *v* in the case title is an abbreviation of the Latin versus, but is normally pronounced "and" for civil cases in England and Wales.

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Plot

Jarndyce v Jarndyce concerns the fate of a large inheritance. The case has dragged on for many generations before the action of the novel, so that, late in the narrative, legal costs have devoured the whole estate and the case is abandoned. Dickens used it to attack the chancery court system as being near totally worthless, as any "honourable man among its practitioners" says, "Suffer any wrong that can be done you rather than come here!"

All of the main characters are connected in some way through the case, though the legal proceedings appear only as background plot. Aside from the lawyers who sue and defend the case, every character who directly associates with it suffers some tragic fate. Miss Flite has long since lost her mind when the narrative begins. Richard Carstone, a former ward of court, dies trying to win the inheritance for himself after spending much of his life so

distracted by the notion of it that he cannot commit to any other pursuit. John Jarndyce, by contrast, finds the whole process tiresome and tries to have as little to do with it as he possibly can, one of many examples of the character's wise and self-effacing demeanour.

Dickens introduces the case in the first chapter in terms which make the futility of the matter clear:

Jarndyce and Jarndyce drones on. This scarecrow of a suit has, over the course of time, become so complicated, that no man alive knows what it means. The parties to it understand it least; but it has been observed that no two Chancery lawyers can talk about it for five minutes without coming to a total disagreement as to all the premises. Innumerable children have been born into the cause; innumerable young people have married into it; innumerable old people have died out of it. Scores of persons have deliriously found themselves made parties in Jarndyce and Jarndyce without knowing how or why; whole families have inherited legendary hatreds with the suit. The little plaintiff or defendant, who was promised a new rocking-horse when Jarndyce and Jarndyce should be settled, has grown up, possessed himself of a real horse, and trotted away into the other world. Fair wards of court have faded into mothers and grandmothers; a long procession of Chancellors has come in and gone out.

The ending of the case reduces the whole court to fits of laughter. From Chapter 65:

We asked a gentleman by us, if he knew what cause was on? He told us Jarndyce and Jarndyce. We asked him if he knew what was doing in it? He said, really no he did not, nobody ever did; but as well as he could make out, it was over.

"Over for the day?" we asked him. "No", he said; "over for good."

Over for good!

When we heard this unaccountable answer, we looked at one another quite lost in amazement. Could it be possible that the Will had set things right at last, and that Richard and Ada were going to be rich? It seemed too good to be true. Alas, it was!

Our suspense was short; for a break up soon took place in the crowd, and the people came streaming out looking flushed and hot, and bringing a quantity of bad air with them. Still they were all exceedingly amused, and were more like people coming out from a Farce or a Juggler than from a court of Justice. We stood aside, watching for any countenance we knew; and presently great bundles of paper began to be carried out—bundles in bags, bundles too large to be got into any bags, immense masses of papers of all shapes and no shapes, which the

bearers staggered under, and threw down for the time being, anyhow, on the Hall pavement, while they went back to bring out more. Even these clerks were laughing. We glanced at the papers, and seeing Jarndyce and Jarndyce everywhere, asked an official-looking person who was standing in the midst of them, whether the cause was over. "Yes," he said; "it was all up with it at last!" and burst out laughing too. ...

"Mr. Kenge," said Allan, appearing enlightened all in a moment. "Excuse me, our time presses. Do I understand that the whole estate is found to have been absorbed in costs?"

"Hem! I believe so," returned Mr. Kenge. "Mr. Vholes, what do *you* say?"

"I believe so," said Mr. Vholes.

"And that thus the suit lapses and melts away?"

"Probably," returned Mr. Kenge. "Mr. Vholes?"

"Probably," said Mr. Vholes.

Real-life cases

In the preface to *Bleak House*, Dickens cites two Chancery cases as especial inspirations, one of which was a "friendly suit":

At the present moment (August, 1853) there is a suit before the court which was commenced nearly twenty years ago, in which from thirty to forty counsel have been known to appear at one time, in which costs have been incurred to the amount of seventy thousand pounds, which is A FRIENDLY SUIT, and which is (I am assured) no nearer to its termination now than when it was begun. There is another well-known suit in Chancery, not yet decided, which was commenced before the close of the last century and in which more than double the amount of seventy thousand pounds has been swallowed up in costs.

Based on an 1853 letter of Dickens,^[1] the first of these cases has been identified^{[2][3]} as the dispute over the will of Charles Day, a boot blacking manufacturer who died in 1836. Proceedings were commenced in 1837 and not concluded until at least 1854.

The second of these cases is generally identified^[2] as the dispute over the will of the "Acton Miser" William Jennens of Acton, Suffolk. *Jennens v Jennens* commenced in 1798 and was abandoned in 1915 (117 years later) when the legal fees had exhausted the Jennens estate of funds;^{[4][5]} thus it had been ongoing for 55 years when *Bleak House* was published.

Some commentators have theorised that the *Jarndyce v Jarndyce* case was inspired by the dispute over the will of Richard Smith, a West India merchant. When he died in 1776, the estate was tied up, and his daughter-in-law Charlotte Turner Smith was pushed by financial necessity to write for money; she became a much-praised poet. That Chancery case has been reported to have taken 36 years to get through the court,^[6] although this may not be correct.^[3]

Another theory holds that the case is partly based on that of *Wedderburn v Wedderburn*, which ran from 1831 until 1857.^[7]

Others have cited the case of *Thellusson v Woodford* as the real life basis but though it related to the will of a man who died in 1797 the suit was not actually filed until after the book was published.

The will of Sir George Downing, who stipulated that his fortune be used to build for a new college at Cambridge, lasted more than 40 years, until March 1800.^[8]

Cultural references

More than a century after the novel's publication, *Jarndyce and Jarndyce* continues to be used as an example of the futility and length of civil court cases. For example, Lord Denning, when referring to *Midland Bank v Green* [1981] 1 All ER 583,^[9] said, "The *Green* saga rivals in time and money the story of *Jarndyce v Jarndyce*."

In the *Amphill Peerage case*,^[10] where the disputed claim to a peerage involved reopening issues which had seemingly been settled in a judgment delivered fifty years earlier, Lord Simon of Glaisdale spoke strongly of the need for finality in litigation. He reminded his fellow Law Lords that *Jarndyce v Jarndyce*, and the pitiful character of Miss Flite, driven mad by the strain of unending litigation, were inspired by real events.

"*Jarndyce and Jarndyce*" was used as the name of a bank in the 1996 television film *The Treasure Seekers*.

The case is referred to (indirectly by reference to Bleak House) in the United States Supreme Court case Stern v. Marshall, 564 U.S. 462 (2010), a protracted lawsuit over an estate.

See also

- Thellusson Will Case

References

Citations

1. 15 Graham Storey, Kathleen Tillotson and Angus Easson (editors), *The Letters of Charles Dickens, VII*. 1993. pages 128-129.
2. Dunstan, William. "The Real Jarndyce and Jarndyce." *The Dickensian* 93.441 (Spring 1997): 27.
3. Katz, Leslie, *Bleak House* in Australian Reasons for Judgment (July 21, 2017). Available at SSRN: <https://ssrn.com/abstract=1315862> or <https://dx.doi.org/10.2139/ssrn.1315862>
4. BBC QI 8 Dec 2012, Series J, Episode 12 – Justice (https://www.bbc.co.uk/iplayer/episode/b01p8hrw/QI_Series_J_Justice/)
5. The Guidott / Guidotti family, Acton Place, Summary of William Jennens (<http://www.freewebs.com/guidott/annthejennensfortune.htm>) Archived (<https://web.archive.org/web/20140920015353/http://www.freewebs.com/guidott/annthejennensfortune.htm>) 20 September 2014 at the Wayback Machine
6. Jacqueline M. Labbe, ed. *The Old Manor House* by Charlotte Turner Smith, Peterborough, Ont.: Broadview Press, 2002 ISBN 978-1-55111-213-8, Introduction p. 17, note 3.
7. Stewart, John (2008). *Byron and the Websters : the letters and entangled lives of the poet, Sir James Webster and Lady Frances Webster*. Jefferson, N.C.: McFarland & Co. p. 180. ISBN 978-0786432400.
8. "250 years since Downing wasn't founded" (<http://www.dow.cam.ac.uk/about/downing-college-archive/archives/250-years-downing-wasnt-founded>). Downing College Cambridge. 19 May 2016. Retrieved 17 March 2019.
9. UK Law LLB (<http://uklawllb.co.uk/supplementary/caselaw/midland-bank-v-green/>) Archived (<https://web.archive.org/web/20140525232854/http://uklawllb.co.uk/supplementary/caselaw/midland-bank-v-green/>) 25 May 2014 at the Wayback Machine
10. [1977] 1 A.C 547

Other sources

- *Willful Behavior* by Donna Leon, p. 308, Penguin Books, 2010

External links

- *Bleak House* at Project Gutenberg etext (<http://www.gutenberg.org/etext/1023>)
- *Bleak House* at Project Gutenberg audio book (<http://www.gutenberg.org/etext/9695>)

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