

1. Record Nr.	UNINA9910970770903321
Autore	Block Brian P
Titolo	Famous cases : nine trials that changed the law / / Brian P. Block, John Hostettler
Pubbl/distr/stampa	Winchester, : Waterside Press, 2002
ISBN	9786611124465 9781281124463 128112446X 9781906534158 1906534152
Edizione	[1st ed.]
Descrizione fisica	1 online resource (136 pages)
Altri autori (Persone)	HostettlerJohn
Disciplina	347.4207
Soggetti	Trials - Great Britain - History Law
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	""Cover ""; ""Acknowledgement ""; ""CONTENTS""; ""Preface""; ""List of Cases""; ""PART I: Introduction""; ""1 Origin and Growth of the Common Law""; ""Unwritten law""; ""Early laws""; ""The lawyer king""; ""Rise of the legal profession""; ""Precedent""; ""Court of Chancery""; ""Discord""; ""The Star Chamber""; ""The High Commission""; ""Trial by jury""; ""Statutes""; ""PART II Criminal Trials""; ""2 George Joseph Smith and the ""Brides in the Bath""""; ""MAKIN'S CASE""; ""The Privy Council hearing""; ""SMITH'S CASE""; ""The facts""; ""The appeal""; ""Aftermath""; ""Straffen"" ""Pragmatic approach""; ""A new precedent""; ""3 Woolmington's Case""; ""Presumption of guilt""; ""The facts""; ""The first trial""; ""The second trial""; ""The first appeal""; ""Woolmington v. DPP""; ""No presumption of murder""; ""The ""beyond reasonable doubt"" principle""; ""Aftermath of Woolmington""; ""4 Gypsy Jim Smith""; ""The case""; ""Malice aforethought""; ""DPP v. Smith""; ""Aftermath""; ""PART III Civil Cases""; ""5 Donoghue v. Stevenson""; ""The claim""; ""Judgments""; ""The ""neighbour"" rule""; ""Explosive effects""; ""6 Lord Denning's ""High Trees"" Case""; ""The Facts""

""Legal argument""; ""The judgment""; ""7 Rookes v. Barnard""; ""The facts""; ""The case""; ""The first appeal""; ""The House of Lords""; ""8 The Mareva Injunction""; ""Nippon Yusen Kaisha v Karageorgis""; ""Mareva Compania Naviera SA v International Bulkcarriers SA""; ""Law reform ""; ""9 Wednesbury Unreasonableness""; ""Associated Provincial Picture Houses, Ltd v. Wednesbury Corporation""; ""The appeal ""; ""What the case settled""; ""PART IV International Law""; ""10 The Trials of Augusto Pinochet""; ""The legal background""; ""Background to the Pinochet case""; ""The arrests""; ""Divisional Court hearing""; ""First House of Lords appeal""; ""The problem""; ""The petition""; ""Second House of Lords appeal""; ""Historic decision""; ""Index""; ""Back cover ""

Sommario/riassunto

Every lawyer knows of *Woolmington v. Director of Public Prosecutions*, the ruling which established the 'golden thread of English law' whereby the burden of proof lies with the prosecutor in a criminal trial, even in the case of murder. But who was 'Woolmington' and how many people know that he escaped the death penalty at the eleventh hour, or that he was twice tried for murder? 'Lords give man back his life' as the *Western Gazette* put it. Likewise, in the civil law, how and why did a Mrs. Donoghue come to be drinking a bottle of ginger beer containing the remnants of a snail, an event which would ultimately determine - at the highest level - that 'the categories of negligence are never closed'? And how did the tranquil market town of Wednesbury come to be legal shorthand for 'unreasonableness'. In *Famous Cases: Nine Trials that Changed the Law* the authors have painstakingly assembled the background to a selection of leading cases in English law. From the *Mareva* case (synonymous with a type of injunction) to Lord Denning's classic ruling in the *High Trees House* case (the turning point for equitable estoppel) to that of the former Chilean head of state General Pinochet (in which the House of Lords heard the facts a second time) the authors offer a refreshing perspective to whet the appetite of every law student, general reader or seasoned practitioner interested in how English law evolves. The book has an authoritative introduction describing 'The Origins of the Common Law' and is enhanced by key extracts from the law reports reproduced courtesy of the Incorporated Council of Law Reporting for England and Wales and the Butterworths Division of Reed Elsevier (UK) Ltd - making it not just an absorbing read but an important work of reference for every legal library and collection.
