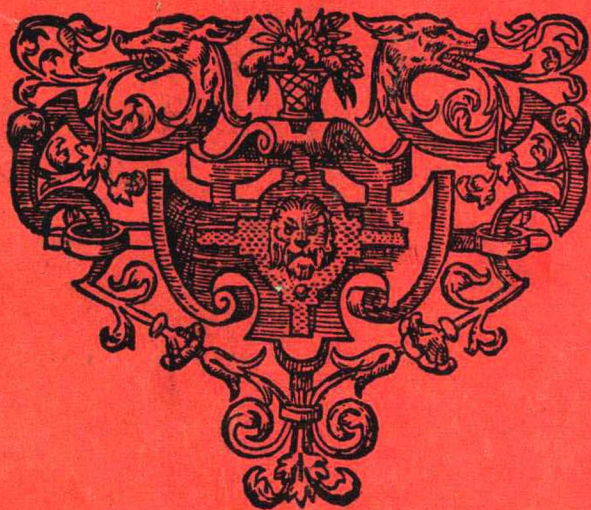


Double Jeopardy



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DOUBLE JEOPARDY

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PREFACE

As long ago as 355 B.C. Demosthenes argued that 'the laws forbid the same man to be tried twice on the same issue'. Similar pleas have been made countless times since then; and, no doubt, Demosthenes was not the first to argue the rule against double jeopardy. This study attempts to provide a coherent analysis of the concept of double jeopardy, with particular emphasis on English law.

In the course of preparing this study, which is based upon my doctoral dissertation for Cambridge University, I have been expertly guided and warmly encouraged by Professor Glanville Williams, to whom I owe my greatest debt of thanks. I have also profited greatly by discussion with other faculty members at Cambridge University and with my colleagues at the University of Toronto and my former colleagues at Osgoode Hall Law School. My work was actively supported by Dean R. St. J. Macdonald and the late Dean C. A. Wright, Q.C., of the Faculty of Law, University of Toronto; H. Allan Leal, Q.C., formerly the Dean of Osgoode Hall Law School and now Chairman of the Ontario Law Reform Commission; and Professor J. D. Morton, Q.C., of Osgoode Hall Law School. Sincere thanks are also due to Mr. W. A. Steiner of the Squire Law Library, Cambridge; Mrs. Margaret Murray, the present librarian, and Miss Diana Priestly, the former librarian, of the Faculty of Law library, University of Toronto; Miss Mary LeMesurier of the Sigmund Samuel Library, University of Toronto; Miss Rosemary McCormick of the Great Library, Osgoode Hall; and Messrs. Vaclav Mostecky and P. A. Putnam of the Harvard law library. They and their staffs at all times willingly and graciously assisted me in obtaining materials.

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Nancy Scott by Osgoode Hall Law School. To all the above individuals and institutions, I am grateful.

Finally, I wish to record my very special thanks to my wife, Judy, to whom this book is dedicated.

August, 1968

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