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**EIGHTY-SIXTH REPORT**

of the

**LAW REFORM COMMITTEE**

of

**SOUTH AUSTRALIA**

to

**THE ATTORNEY-GENERAL**

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**DEALING WITH THE INHERITED  
IMPERIAL LAW BETWEEN 1781 AND  
1800**

1984

The Law Reform Committee of South Australia was established by Proclamation which appeared in the *South Australian Government Gazette* of 19th September, 1968. The Members are:

THE HONOURABLE MR. JUSTICE ZELLING, C.B.E., *Chairman.*

THE HONOURABLE MR. JUSTICE WHITE, *Deputy Chairman.*

THE HONOURABLE MR. JUSTICE LEGOE, *Deputy Chairman.*

M. F. GRAY, Q.C., S.-G.

P. R. MORGAN.

D. F. WICKS.

M. J. DETMOLD.

G. F. HISKEY, S.M.

The Secretary of the Committee is Mrs J. L. Leonard, c/o Supreme Court, Victoria Square, Adelaide 5000.



**EIGHTY-SIXTH REPORT OF THE LAW REFORM COMMITTEE OF SOUTH AUSTRALIA DEALING WITH THE INHERITED IMPERIAL LAW BETWEEN 1781 AND 1800**

To:

The Honourable C. J. Sumner, M.L.C.,  
Attorney-General for South Australia.

Sir,

In the Eighty-Fifth Report of this Committee we dealt with the general inherited Imperial Law between 1751 and 1780. We now turn to deal with the inherited law for the period 1781 to 1800.

*Statutes 21 Geo. III (1781) cc. 1-106:*

Chapters 1 dealing with the Gordon riots, 2 with habeas corpus suspension, 3 with land tax, 4 with malt duties, 6 with imports, 8 with mutiny, 9 with marine mutiny, 11 with the navy, 18 with the militia, 19 with navigation, 21 with militia pay, 23 with land tax, 25 with promissory oaths and 26-27 dealing with imports, were all repealed in 1871. Chapters 5 and 44 dealing with prize during the American War were both repealed in 1864. Chapters 7 dealing with militia, 17 with excise duties, 32 with customs, 34 with coal and 52 with recusancy, were all repealed in 1861. Chapters 10, 14, 22, 33, 35, 61, 74-76, 87 and 93 are local Acts. Chapter 12 dealing with Whitby Harbour was repealed by 7 & 8 Geo. IV c. lxxviii. Chapter 13 dealing with poor relief in Suffolk was repealed in 1948. Chapters 16, 28, 37, 39 and 62 dealing with customs and trade were repealed by 6 Geo. IV c.105. Chapter 20 dealing with Turnpike roads was repealed by 3 Geo. IV c.122. Chapter 24 dealing with paper duties was repealed in 1839. Chapters 29 dealing with Acts continuance, 40 with bounties, 41 and 42 with loans on Exchequer bills, 43 with quartering soldiers, 45 and 48 dealing with audit, and 51 dealing with the East India Company, were all repealed in 1871. Chapter 30 dealing with the River Colne was repealed by 51 Geo. III c. xliii. Chapter 36 dealing with streets in Devizes was repealed by 6 Geo. IV c. clxii. Chapter 38 dealing with small debts in Beverley was repealed in 1846. Chapters 46, 53 and 71 are private Acts. Chapter 47 dealing with improvements in Oxford were repealed by Statutes of 1865 and 1889. Chapter 49, the Sunday Observance Act 1782, was held to be in force in Australia by the High Court in *Scott v. Cawsey (1907) 5 C.L.R. 132*. The Act was repealed in South Australia by Act No. 68 of 1967 section 3. It was repealed in England by statutes from 1842 to 1966. Chapter 50 dealing with corn was repealed by 31 Geo. III c.30. Chapter 52 dealing with the discovery of longitude at sea, chapter 55 dealing with excise, chapter 57 with appropriation, chapter 58 with hemp and chapter 59 with loans on exchequer bills were all repealed in 1871. Chapter 54 dealing with the town of Coventry was repealed by statutes from 1927 to 1940. Chapter 56 dealing with the duty on almanacs and chapter 60 dealing with the Bank of England were both repealed in 1861. Chapter 63 dealing with insolvent debtors relief and chapter 64 with excise were repealed in 1871. Chapter 65 dealing with the East India Company was repealed in 1872. Chapter 66 dealing with the repair of the residences of the clergy amends the statute 17 Geo. III c.53 and was repealed by statutes from 1871 to 1976. The Tasmanian Act regards this statute as being in force in Tasmania in relation to the property of the Church of England. For the same reasons as we gave in relation to 17 George III c.53, we are of the opinion that this statute is not and has

never been in force in South Australia. Chapter 67 dealing with droving cattle in London was repealed in 1871. Chapters 68 and 69 dealing with the criminal law are dealt with in the Fifty-Ninth Report of this Committee. Chapter 70 dealing with the Government of India was repealed by statutes of 1915 and 1935. Chapter 72 dealing with poor relief in Plymouth was repealed by 54 Geo. III c. clxxii. Chapter 73 dealing with Stepney and Hackney manor courts was repealed in 1846. Chapter 77 dealing with Oxford road was repealed by 3 Geo. IV c. xxxvi. Chapter 78 dealing with Cornwall roads was repealed by 4 Geo. IV c. lxxviii. Chapter 79 dealing with Linlithgow roads was repealed by 56 Geo. III c. lxxv. Chapter 80 dealing with Denbigh road was partly repealed by 1 & 2 Geo. IV c. xx and the balance in 1875. Chapter 81 dealing with Derbyshire roads was repealed by 4 Geo. IV c. xxviii. Chapter 82 dealing with Cheshire roads was repealed by 5 Geo. IV c. lxxxvii. Chapter 83 also dealing with Derbyshire roads was repealed by 6 Geo. IV c. ci. Chapter 84 dealing with Devon roads was repealed by 4 Geo. IV c. cix. Chapter 85 dealing with Leicester roads was repealed by 1 Will. IV cc. xiv and xli. Chapter 86 dealing with Launceston roads was repealed by 5 & 6 Will. IV c. lxxv. Chapter 88 dealing with Warwick roads was repealed by 1 & 2 Geo. IV c. xiii. Chapter 89 dealing with Leicester roads was repealed by 4 Geo. IV c. cxxii. Chapter 90 dealing with Cornwall roads was repealed by 5 Geo. IV c. lxxv. Chapter 91 dealing with Berwick roads was repealed by 6 Geo. IV c. xli. Chapter 92 dealing with Derby roads was repealed by 1 Will. IV cc. x and xii. Chapter 94 dealing with Northamptonshire roads was partly repealed by 3 Geo. IV c. lxxxvi and the balance in 1876. Chapter 95 dealing with Skipton roads was repealed by 39 Geo. III c. lii and 4 Geo. IV cc. xxxi and cx. Chapter 96 dealing with Yorkshire roads was repealed by 4 Geo. IV c. xlvi. Chapter 97 dealing with Henley roads was repealed by 1 & 2 Geo. IV c. xxvi. Chapter 98 dealing with Leeds roads was repealed by 1 & 2 Geo. IV c. xciv. Chapter 99 dealing with Addingham road was repealed by 50 Geo. III c. xxxvi. Chapter 100 dealing with Kent roads was repealed by 42 Geo. III c. lxxiii. Chapter 101 dealing with Berkshire roads was repealed in 1858. Chapter 102 dealing with Leeds roads was repealed by 33 Geo. III c.134 and 36 Geo. III c.137. Chapter 103 dealing with Kettering road was repealed by 4 Geo. IV c. lxxvii. Chapter 104 dealing with Somerset roads was repealed by 43 Geo. III c. xxiii. Chapter 105 dealing with Hereford roads was repealed by 5 Geo. IV c. cxlii. Chapter 106 dealing with Warwick roads was repealed by 46 Geo. III c. lxxix. Therefore of the statutes of 21 George III chapters 1-11, 13-15, 17-19, 21-27, 29, 31-35, 38, 40-48, 51-61, 63-67, 70, 73-76, 80 so far as unrepealed, 87, 93, 94 so far as unrepealed and 101 remain to be repealed in South Australia today.

*Statutes 22 Geo. III (1782) cc. 1-116:*

Chapters 1 dealing with habeas corpus suspension, 2 and 9 with land tax, 3 with malt duties, 4 with mutiny, 5 with marine mutiny, 6 with militia, 7 with imports, 10 with exchange of American prisoners, 11 with Scottish bonds, 13 with Acts continuance, 16 with navigation, 19 with the Greenland fishery, 20 with customs, 23 with recusancy, 24 with militia pay, 26 and 29 with quartering troops, were repealed in 1871. Chapters 8 and 34 dealing with the national debt were repealed in 1870. Chapters 12, 14, 17, 32, 43, 57, 77, 80, 85 and 112 are local Acts. Chapters 15 and 25 dealing with prize in the American War were repealed in 1864. Chapters 21 and 28 dealing with customs, and 33 dealing with stamp duties, were repealed in 1861. Chapter 22 dealing with Yarmouth coal duties was repealed in 1948. Chapter 27 dealing with small debts in Kent was repealed in 1846. Chapter 30 dealing with imports was repealed by 23 Geo. III c.14. Chapter 31 dealing with Parliamentary elections in

Crickdale was repealed in 1872. Chapter 35 dealing with poor relief in Wapping was repealed in 1901. Chapter 36 dealing with loans on Exchequer bills, and chapter 38 dealing with imports, were repealed in 1871. Chapter 37 dealing with small debts in Salop was repealed in 1846. Chapter 39 dealing with salt duties and chapter 49 dealing with customs were repealed in 1861. Chapter 40 dealing with the criminal law was repealed by 4 Geo. IV c.46. Chapter 41 providing that excise officers in Scotland were not to have the vote for parliamentary elections was repealed in 1868. Chapter 42 dealing with Kew Bridge was repealed in 1948. Chapter 44 dealing with streets in Westminster was partly repealed by 6 Geo. IV c. cxxxiv and the remainder in 1901. Chapter 45, the House of Commons Disqualification Act 1782, is an important Act relating to the law and custom of Parliament. It was repealed in England in 1957 and is referred to in *Anson: Law and Custom of the Constitution (Volume I, 1982) at page 80*. The area is partly covered by sections 49, 50 and 54 of our Constitution act. Sections 49 and 54 in fact have the Act of George III in the margin of each of the sections. The 1782 Act however covers ground other than that in the three sections of our Act and we therefore refer it to you for consideration as to what should be done in relation to the English Act of 1782. Chapter 46 dealing with a truce with America, chapter 50 with the audit of public accounts, and chapter 51 dealing with the East India Company, were all repealed in 1871. Chapter 47 dealing with lottery office keepers was repealed by 42 Geo. III c.54. Chapter 48 dealing with fire insurance duty was repealed in 1869. Chapter 52 dealing with the slaughter of animals in Edinburgh was repealed in 1948. Chapter 53 dealing with the independence of Ireland, chapters 54 and 59 which are private Acts, and 55 dealing with indemnity, were all repealed in 1871. Chapter 56 dealing with poor relief in the parish of St. Luke, Finsbury was partly repealed by 48 Geo. III c. xcvi and the balance in 1932. Chapter 58 dealing with the criminal law was repealed in 1861 and is dealt with in the Fifty-Ninth Report of this Committee. Chapter 60 dealing with artificers going overseas was repealed by 5 Geo. IV c.79 and 6 Geo. IV c.105. Chapter 61 dealing with the customs, chapter 62 with militia, chapter 64 with houses of correction, chapter 66 with customs, and chapter 68 with taxation, were all repealed in 1861. Chapter 63 dealing with the use of the Highland dress: the kilt and the tartan, and chapter 67 dealing with appropriation, were both repealed in 1871. Chapter 65 dealing with the improvement of the Strand in London was repealed in 1948. Chapter 69, a private Act, was repealed by 23 Geo. III c.19. Chapter 70 dealing with postage was repealed in 1837. Chapter 71 dealing with supply of ships to the enemy, chapter 72 with imports, chapter 74 with putting Acts of Parliament in execution, chapter 76 with loans on Exchequer bills, and chapter 79 with volunteers, were repealed in 1871. Chapter 73 dealing with tobacco was repealed in 1910. Chapter 75, Burke's Act 1782, is a very important Act as it is the Act under which Judges who are unjustly removed from office can appeal to the Privy Council. It was repealed in England in 1964. It is referred to in the Sixty-First Report of this Committee, but cannot be dealt with finally until the Colonial Laws Validity Act has been repealed in its application to South Australia as it is an Act on the face of it applying throughout the Queen's Dominions. Chapter 78 dealing with imports was repealed by 3 Geo. IV c.42 and 6 Geo. IV c.105. Chapter 81 dealing with the Paymaster-General was repealed by 48 Geo. III c.49. Chapter 82 dealing with the civil list was partly repealed by statutes from 1871 to 1977 and is still partly in force. Chapter 83 dealing with poor relief was repealed in 1871 and is dealt with in the Fifty-Eighth Report of this Committee. Chapters 84, dealing with the streets of London, 86 dealing with improvements in Wapping, and 87 with the streets in Limehouse, were all repealed in 1901, Chapter 88 dealing with Lancaster roads was repealed by 4 Geo.

IV cc. xiii and xxiv. Chapter 89 dealing with Truro roads was repealed by 57 Geo. III c. xliv and 9 Geo. IV c. iii. Chapter 90 dealing with Holderness road was repealed by 7 Geo. IV c. cxxvi. Chapter 91 dealing with Hertford roads was repealed by 31 Geo. III c.108. Chapter 92 dealing with Oakhampton roads was repealed by 4 Geo. IV c. civ. Chapter 93 dealing with Yorkshire roads was repealed by 6 Geo. IV c. vii. Chapter 94 dealing with Lincoln roads was repealed by 7 Geo. IV c. lxxiv. Chapter 95 dealing with Worcester roads was repealed in 1852. Chapter 96 dealing with Stafford roads was repealed by Geo. IV c. lix and 10 Geo. IV c. lxxix. Chapter 97 dealing with Yorkshire roads was repealed by 6 Geo. IV c. xc. Chapter 98 dealing with Kent roads was repealed by 3 Geo. IV c. lxx. Chapter 99 dealing with Tamworth roads was repealed by 2 & 3 Will. IV c. li. Chapter 100 dealing with Hereford roads was repealed by 7 Geo. IV c. cxxxv. Chapter 101 dealing with Dorset roads was repealed by 6 Geo. IV c. c. Chapter 102 dealing with Kent roads was repealed by 5 Geo. IV c. lxii. Chapter 103 dealing with Tenbury roads was repealed by 4 Geo. IV c. xxv. Chapter 104 dealing with Cornwall roads was repealed by 6 Geo. IV c. xl. Chapter 105 dealing with Wrexham road was repealed by 4 Geo. IV c. lxxv. Chapter 106 dealing with Tarporley roads was repealed by 4 Geo. IV c. lxxxii. Chapter 107 dealing with Derby roads was repealed by 7 Geo. IV c. lxxix. Chapter 108 dealing with Hereford roads was repealed by 3 Geo. IV c. lxxxvii. Chapter 109 dealing with the Hill to Lyde Way Road was partly repealed by 1 Geo. IV c. xxiv and the balance in 1873. Chapter 110 dealing with Wiltshire roads was repealed by 5 Geo. IV c. lxxxiii. Chapter 111 dealing with Westmorland roads was repealed by 5 Geo. IV c. xv. Chapter 113 dealing with Radnor roads was repealed by 49 Geo. III c. xiv. Chapter 114 dealing with Sussex roads was repealed by 6 Geo. IV c. xliii. Chapter 115 dealing with Shoreditch road was repealed by 1 & 2 Geo. IV c. cxii. Chapter 116 dealing with Stafford roads was repealed by 50 Geo. III c. ciii and 1 Will. IV c. lxxviii. Accordingly of the statutes of 1782, chapters 1-29, 31-39, 41-43, 44 so far as unrepealed, 46, 48-55, 56 so far as unrepealed, 57, 59, 61-68, 70-74, 76-77, 79-82, 84-87, 95, 109 so far as unrepealed, and 112 should be repealed in South Australia today, and chapter 45 is reserved for your consideration.

*Statutes 23 Geo. III (1783) cc. 1-111:*

Chapters 1 dealing with imports, 2 with trading with the enemy, 3 with land tax, 4 with malt duties, 5 a personal Act, 6 with Acts continuance, 7 with marine mutiny, 9, 10 and 14 with imports and 12 with loans on Exchequer bills, were all repealed in 1871. Chapter 8 dealing with ballast in the River Thames was repealed by 45 Geo. III c. xcvi. Chapters 12, 25, 27, 38, 41, 46-47, 71, 87 and 104 are local Acts. Chapter 15 dealing with dyeing frauds was repealed by statutes from 1871 to 1948. Chapters 16 dealing with the garrison at Gibraltar, 17 with mutiny, 18 with payments to creditors in Scotland, 19 a personal Act, 21 with bounties, 22 with recusancy, 24 with mutiny, 30 with indemnity, 37 with recruiting, 39 with customs, and 40 with militia pay, were all repealed in 1871. Chapter 20 dealing with Shrewsbury Guild Hall was repealed in 1915. Chapter 23 dealing with poor relief in the King's Bench prison, chapter 31 with streets in Rotherhithe and 32 with poor relief in Stepney, were all repealed in 1901. Chapter 26—at the end of the War with America, Parliament came to its senses and repealed the Acts prohibiting trade with the American colonies but it was too late. Chapter 26 was repealed in 1871. Chapter 28 dealing with appeals from Ireland was repealed in 1962. Chapter 29 a personal Act was repealed in 1948. Chapter 33 dealing with the Trent and Mersey Canal was repealed by 1 Will. IV c. 1v. Chapters 34 and 61 are private Acts. Chapter 35 dealing with the national debt was repealed in 1870. Chapter 36 dealing with the East India

Company was repealed in 1872. Chapter 42 dealing with the streets of Westminster was partly repealed by 10 Geo. IV c. lxxviii and the balance in 1901. Chapter 43 dealing with streets in Westminster and chapter 44 with poor relief in Clerkenwell were repealed in 1901. Chapter 45 dealing with the Scottish Courts was repealed by statutes from 1871 to 1981. Chapter 48 dealing with Trent navigation was repealed in 1858. Chapter 49 dealing with stamp duties, chapter 56 dealing with customs, and chapter 58 with stamp duties, were all repealed in 1861. Chapter 50 dealing with the Paymaster-General was repealed by 45 Geo. III c.58. Chapter 51 dealing with gypsies, chapter 52 with mutiny, and chapter 53 with the Scottish corn crop were repealed in 1871. Chapter 54 dealing with poor relief in Birmingham was repealed by 1 & 2 Will. IV c. lxxvii. Chapter 55 dealing with improvements in the town of Kingston-upon-Hull was repealed by statutes of 1840 and 1854. Chapter 57 dealing with prize goods held in bond was repealed in 1864. Chapters 59 and 60 which are personal Acts, 62 dealing with stamp duties, 63 with stage coach duty, 68 with audit, and 70 with excise were repealed in 1871. Chapter 65 dealing with the West African possessions was repealed in 1861. Chapter 66 dealing with duties on waggons was repealed by 25 Geo. III c.47 and 32 Geo. III c.4. Chapter 67 dealing with stamp duty was repealed by 34 Geo. III c.11. Chapter 69 dealing with postage was repealed in 1837. Chapter 72 dealing with loans on Exchequer bills, chapter 74 with customs, and chapter 78 with appropriations were repealed in 1871. Chapter 73 dealing with small debts in Shrewsbury was repealed in 1846. Chapters 75 and 76 dealing with customs, 77 with flax manufacture, and 79 with coffee were repealed in 1861. Chapters 80 dealing with compensation for the Loyalists in America and 81 with exports were repealed in 1871. Chapter 82 dealing with Exchequer receipts and chapter 83 with the East India Company, were repealed in 1861. Chapter 84 dealing with loans on Exchequer bills and chapters 85-86 which are personal Acts, were repealed in 1871. Chapter 88 dealing with rogues and vagabonds was repealed in 1861 and is dealt with in the Fifty-Ninth Report of this Committee. Chapters 89 and 90 dealing with streets of Westminster were repealed in 1901. Chapter 91 dealing with streets in Whitechapel was repealed in 1853. Chapter 92 dealing with the navigation of the Birmingham Canal was repealed by 58 Geo. III c. xix and 5 & 6 Will. IV c. xxxiv. Chapter 93 dealing with Bushey Heath road was repealed by 4 Geo. IV c. lxxiv. Chapter 94 dealing with Leeds roads was repealed by 6 Geo. IV c. cxxix. Chapter 95 dealing with Yorkshire roads was repealed in 1842. Chapter 96 dealing with Somerset roads was repealed by 4 Geo. IV c. lxxii. Chapter 97 dealing with Canterbury road was repealed by 44 Geo. III c.i. Chapter 98 dealing with Worcester roads was repealed by 6 Geo. IV c. xlix. Chapter 99 dealing with Stafford roads was repealed by 5 Geo. IV c. xxiv. Chapter 100 dealing with Berkshire roads was repealed by 46 Geo. III c. cxlv and 7 Geo. IV c. lxx. Chapter 101 dealing with Chester roads was repealed in 1859. Chapter 102 dealing with London City road was repealed by 5 Geo. IV c. lxxi. Chapter 103 dealing with Wetherby road was repealed by 5 Geo. IV c. viii. Chapter 105 dealing with Stafford roads was repealed by 5 Geo. IV c. lviii and 6 Geo. IV c. viii. Chapter 106 dealing with Gloucestershire roads was partly repealed by 52 Geo. III c. xxvii and the balance in 1873. Chapter 107 dealing with Leicester roads was repealed by 7 Geo. IV c. cxxxiv. Chapter 108 dealing with Cumberland roads was repealed by 5 Geo. IV cc. iv and xiv. Chapter 109 dealing with Southampton roads was repealed by 4 Geo. IV c. lxxxiii. Chapter 110 dealing with Marylebone road was repealed by 7 Geo. IV c. cxlii. Chapter 111 dealing with Wiltshire roads was repealed by 30 Geo. III c.98. Accordingly of the statutes of 23 George III, chapters 1-7, 9-32, 34-41, 42 so far as unrepealed, 43-49, 51-53, 55-



65, 68-87, 89-91, 95, 101, 104 and 106 so far as unrepealed, remain to be repealed in South Australia today.

*Statutes 24 Geo. III (1783) sess. 1 cc. 1-34:*

Chapters 1 dealing with malt duties, 2 with trade with America, 3 with the East India Company, and 4 with land tax, were all repealed in 1871. Chapters 5, 19 and 21 are local Acts. Chapter 6 dealing with postage was repealed in 1837. Chapter 7 dealing with bills of exchange was repealed in 1861. Chapter 8 dealing with small debts in Kent was repealed in 1846. Chapter 9 dealing with drainage in Norfolk was repealed by 3 & 4 Will. IV c. xcvi. Chapter 10 dealing with land tax, 11 with mutiny, 14 with export, 15 with customs, 16 with recusancy, and 17 with marine mutiny, were repealed in 1871. Chapter 12 dealing with the overflow of prisoners because they could no longer be sent to America and consigning them to the hulks was of course the precursor of the foundation of the penal colony of New South Wales. It was repealed in 1861. Chapter 13 dealing with militia pay was repealed in 1861. Chapter 18 dealing with Edinburgh roads was repealed by 5 & 6 Will. IV cc. lxii and lxviii. Chapter 20 dealing with an overseer for Bradford-upon-Avon was repealed in 1948. Chapter 22 dealing with Shillingford road was repealed by 7 & 8 Geo. IV c. xix. Chapter 23 dealing with Kirkby Kendal road was partly repealed by 1 Geo. IV c. xviii and the balance in 1872. Chapter 24 dealing with Nottinghamshire roads was repealed by 6 Geo. IV x. xv. Chapter 25 dealing with Hertford roads was repealed by 1 Will. IV c. xxxvi. Chapter 26 dealing with Devon roads was repealed by 4 Geo. IV c. xvii. Chapter 27 dealing with Cornwall roads was repealed by 7 & 8 Geo. IV c. lxxiii. Chapter 28 dealing with Northamptonshire roads was repealed by 4 Geo. IV c. lx. Chapter 29 dealing with Yorkshire roads was repealed by 6 Geo. IV c. ix. Chapter 30 dealing with Wiltshire roads was repealed by 7 Geo. IV c. cxxxviii and 2 & 3 Will. IV c. xcvi. Chapter 31 dealing with Barnstaple roads was repealed by 7 & 8 Geo. IV c. xiv. Chapter 32 dealing with Cosham road was repealed by 46 Geo. III c. xlvi. Chapter 33 dealing with Carmarthen roads was repealed by 9 Geo. IV c. lxxvi. Chapter 34 dealing with Lincoln roads was repealed by 7 Geo. IV c. lxxxv. Accordingly of the statutes of 24 George III Session 1, chapters 1-8, 10-17, 19-20 and 23 so far as unrepealed should be repealed in South Australia today.

*Statutes 24 Geo. III (1784) Sess. 2 cc. 1-70:*

Chapters 1, 7, 9 and 16 relating to customs, 2 relating to the East India Company, 6 relating to returned soldiers, 13 to audit, 19 to leather manufacture, 21 to hat manufacture, and 23 to trade with America, were all repealed in 1871. Chapter 3 dealing with wool was repealed in 1889. Chapter 4 dealing with the navigation of the Birmingham Canal was repealed by 5 & 6 Will. IV c. xxxiv. Chapter 5 dealing with a market place for Sheffield was repealed by 7 & 8 Geo. IV c. xlvi. Chapter 8 dealing with postage was repealed in 1837. Chapters 10, 37 and 39 dealing with the national debt and 32 with the Bank of England, were repealed in 1870. Chapter 11 dealing with duties on candles was repealed in 1861. Chapters 12, 14 and 22 are private Acts. Chapter 12 was repealed in 1981, and chapters 14 and 22 in 1948. Chapter 15 dealing with poor relief in Shrewsbury was repealed by 7 Geo. IV c. cxli. Chapters 17 and 29 are local Acts. Chapters 18 dealing with paper duties and 24 dealing with duties on bricks were repealed in 1839. Chapter 20 dealing with plate assay was partly repealed by statutes from 1887 to 1973 and is partly still in force. Chapter 25 dealing with the setting up of British Courts in India, the first step on the way to the Raj, was repealed in 1916. Chapter 26 dealing with elections in recess was repealed by statutes from 1863 to 1975. We almost certainly inherited this as part of the law

and custom of Parliament. It does not seem to be covered, certainly not in those words, by anything in the Constitution Act and we therefore refer it to you for consideration as to what ought to be done with regard to the statute. Chapter 27 dealing with hackney coaches was repealed by 1 & 2 Will. IV c.22. Chapter 28 dealing with the navy was repealed in 1871. Chapter 30 dealing with beer licences was repealed in 1861. Chapter 31 dealing with duties on houses was repealed by 43 Geo. III c.161. Chapter 33 dealing with loans on Exchequer bills, chapter 44 with appropriation, and chapter 45 with trade with British America, were repealed in 1871. Chapter 34 dealing with the East India Company, chapter 36 with candle duty, chapter 38 with taxation, chapter 40 with linen duty, chapter 41 with licence duty, and chapter 42 with game certificates, were repealed in 1861. Chapter 35 dealing with the ordination of aliens was repealed in 1967. The Tasmanian Act regards it as being in force in Tasmania. We do not think that it ever was received in South Australia. In any event to make such an invidious distinction would be contrary to the ethnic laws which we now have in this State and we do not think that the statute needs to be preserved here. Chapter 42 dealing with pawnbrokers was repealed in 1871. It was almost certainly received here in 1836 as it is a general statute regulating the trade of pawnbroking, but it would seem that the whole of the subject is now covered by our Act of 1888 and this statute does not need to be preserved. Chapter 46 dealing with spirit duties, chapter 48 dealing with starch duties, chapter 49 with customs, and chapter 51 with hat duties, were all repealed in 1861. Chapter 47 dealing with smuggling was repealed by 6 Geo. IV c.105. Chapter 50 dealing with exports and chapter 52 dealing with loans on Exchequer bills, were repealed in 1871. Chapter 53 dealing with plate duties was repealed in 1890. Chapters 54 and 55 dealing with gaols and houses of correction are the result of the work of the people such as Elizabeth Fry and Howard in the latter part of the eighteenth century and are the beginning of modern goal reform. They were repealed in England in 1861 and it does not appear that any part of either of the two statutes need to be retained in South Australia. Chapter 56 dealing with transportation and chapter 58 dealing with promissory oaths were repealed in 1871. Chapter 56 is the statute under which New South Wales was proclaimed a penal colony on 6 December, 1786. Chapter 57 dealing with Crown lands—*forfeited estates* was repealed in 1948. Chapter 59 dealing with the navigation of the Forth and Clyde was repealed in 1841. Chapter 60 dealing with poor relief in Stepney was repealed in 1901. Chapter 61 dealing with Woodstock roads was repealed by 44 Geo. III c. lxxix and 6 Geo. IV c. xciv. Chapter 62 dealing with Alford road was repealed by 7 & 8 Geo. IV c. xvii. Chapter 63 dealing with Devon roads was repealed by 44 Geo. III cc. xvi and lxxvi. Chapter 64 dealing with Totnes roads was repealed by 49 Geo. III c. cxxvii and 7 Geo. IV c. xcii. Chapter 65 dealing with Devizes roads was repealed by 52 Geo. III c. xcii and 1 Geo. IV c. lxxix. Chapter 66 dealing with Llandilo Rhyngs Bridge was repealed in 1844. Chapter 67 dealing with Devon roads was repealed by 45 Geo. III c. xxxiv. Chapter 68 dealing with Lancashire roads was repealed by 33 Geo. III c.181. Chapter 69 dealing with Hereford roads was repealed by 5 Geo. IV c. civ. Chapter 70 dealing with Westmorland road was repealed by 7 Geo. IV c. lxxii. Accordingly of the statutes of session 2 in 1784, chapters 1-3, 6-14, 16-25, 28-30, 32-46, 48-60 and 66 need to be repealed in South Australia today and we refer chapter 26 on the law and custom of Parliament to you for further consideration.

*Statutes 25 Geo. III (1785) cc. 1-128:*

Chapters 1 dealing with trade, 2 with malt duties, 3 with marine mutiny, 4 with land tax, 5 with trade with America, 6 with mutiny, 8

with militia pay, 11 and 12 with loans on Exchequer bills and 17 a private Act, were all repealed in 1871. Chapter 7 dealing with small debts in Kent was repealed in 1846. Chapter 9 dealing with improvements in Huntingdon was repealed in 1876. Chapters 10, 16, 39, 41, 91-98 and 100 are local Acts. Chapter 13 dealing with highways in Perth was repealed by 51 Geo. III c. cxvii. Chapter 14 dealing with drainage in Lincoln was repealed in 1839. Chapter 15 dealing with Liverpool harbour was repealed in 1858. Chapter 18 dealing with gaol delivery and chapters 38 and 42 which are both private Acts were repealed in 1948. Chapter 19 dealing with the abolition of fees, chapter 20 with land tax, chapter 22 with excise and chapters 24-25 with customs, were all repealed in 1871. Chapter 21 dealing with poor relief at Exeter was repealed in 1913. Chapter 23 dealing with streets in Bermondsey was repealed by 4 & 5 Will. IV c. cx. Chapter 26 dealing with Sunderland harbour was repealed by 49 Geo. III c. xli, 59 Geo. III c. cvi and 11 Geo. IV and 1 Will. IV c. xlix. Chapter 27 dealing with poor relief in Norfolk was repealed in 1869. Chapter 28 dealing with streets in Edinburgh was partly repealed by 5 & 6 Will. IV c. lxxviii and the balance in 1848. Chapter 29 dealing with the navy and chapter 33 with loans on Exchequer bills were repealed in 1871. Chapter 30 dealing with shop duties was repealed by 29 Geo. III c.9. Chapter 31 dealing with the Treasurer of the navy was repealed by 11 Geo. IV & 1 Will. IV c.42. Chapters 32 and 71 dealing with the national debt were repealed in 1870. Chapter 34 dealing with streets in Ramsgate was repealed in 1838. Chapter 35 dealing with Crown debtors was repealed in 1947. It is dealt with to a certain extent in our Fifty-Fifth Report. It will be further dealt with in the report on Crown Proceedings and is dealt with in *Lynn on Execution of Crown Judgments at page 62 and 85*. Chapter 36 dealing with improvements at Great Yarmouth was repealed by 5 & 6 Will. IV c. xlix. Chapter 37 dealing with Ayr bridge was repealed in 1844. Chapter 40 dealing with wool was repealed in 1889. Chapter 43 dealing with servant duties was repealed by 32 Geo. III c.3 and 43 Geo. III c. 161. Chapter 44 dealing with insurances on ships was repealed by 28 Geo. III c. 56. Chapter 45 dealing with debts in Middlesex was repealed by 5 & 6 Will. IV c. xciv. Chapter 46 dealing with transportation, chapter 63 with salt duties, and chapter 65 with fisheries, were repealed in 1861. Chapter 47 dealing with excise was repealed by 32 Geo. III c.4 and 43 Geo. III c. 161. Chapter 48 dealing with stamp duties was repealed in 1872. Chapter 49 dealing with licence duties, chapter 50 with game certificates, chapter 58 with the pilchard fishery and chapter 69 with customs, were repealed in 1861. Chapter 51 dealing with duties on post horses was repealed by 2 & 3 Will. IV c. 120. Chapter 52 dealing with audit was repealed in 1866. Chapter 53 a private Act, chapter 56 dealing with cordage for shipping, chapter 57 with lotteries, chapter 60 with appropriation, chapter 61 with the civil list, and chapter 62 with exports, were all repealed in 1871, Chapters 54 dealing with coal duties and 67 dealing with exports were repealed by 6 Geo. IV c. 105. Chapter 55 dealing with glove duties was repealed by 34 Geo. III c.10 and 36 Geo. III c.80 and 6 Geo. IV c.105. Chapter 57 dealing with Turnpike tolls was repealed in 1837. Chapter 66 dealing with duties on bricks and tiles was repealed in 1838. Chapter 68 dealing with the audit of public accounts, and chapter 74 with excise, were repealed in 1871. Chapter 70 dealing with duties on servants was repealed in 1872. Chapter 72 dealing with linen duty, and chapter 73 with brewing, were repealed in 1861. Chapter 75 dealing with stamp duties was repealed by 34 Geo. III c.11. Chapter 76 making further provision for the Loyalists who stayed on the side of the King in the American war was repealed in 1871. Regrettably the provision was not very great and certainly not commensurate with their loyalty. Chapter 77 dealing with fires prevention was repealed by statutes from 1842 to

1968. Notwithstanding that the immediately preceding Fires Prevention Act 1774 has been held to be in force in South Australia, and in Australia generally, except in New South Wales, it would appear that there are no general rules laid down in this particular chapter and we think it can be safely repealed here. Chapter 78 dealing with hawkers, chapter 79 with medicine duties, chapter 81 with tobacco duty and chapter 82 with indemnity, were repealed in 1871. Chapter 80 dealing with stamp duty and chapter 83 dealing with the Bank of England were repealed in 1870. Chapter 84 dealing with elections deals only with returns in England and Wales and does not form part of the general law and custom of Parliament. It was repealed in England by statutes from 1872 to 1918. Chapter 85 dealing with the streets of Reading was repealed by 7 Geo. IV c. lvi. Chapter 86 dealing with a watch for the Tower of London was repealed by 54 Geo. III c. ccxx. Chapter 87 dealing with the Dudley Canal was partly repealed by 5 & 6 Will. IV c. xxxiv and the balance in 1846. Chapter 88 dealing with streets in Clapham was repealed in 1901. Chapter 89 dealing with waterworks at Lambeth was repealed in 1848. Chapter 90 dealing with improvements in Arundel was repealed in 1876. Chapter 99 dealing with the navigation of the Birmingham Canal was repealed by 10 Geo. IV c. xlvi and 5 & 6 Will. IV c. xxxi. Chapter 101 dealing with Salop roads was repealed by 7 & 8 Geo. IV c. XV. Chapter 102 also dealing with Salop roads was repealed by 5 Geo. IV c. xxxii. Chapter 103 dealing with Kent roads was repealed by 10 Geo. IV c. xxii. Chapter 104 dealing with Doncaster roads was repealed by 7 Geo. IV c. lxxxix. Chapter 105 dealing with Rotherham roads was repealed by 7 Geo. IV c. lxxxviii. Chapter 106 dealing with Lancaster roads was repealed by 45 Geo. III c. xiv. Chapter 107 dealing with Nottinghamshire roads was repealed by 11 Geo. IV & 1 Will. IV c. xc. Chapter 108 dealing with Cornwall roads was repealed by 7 & 8 Geo. IV c. ci. Chapter 109 dealing with Sussex roads was repealed by 9 Geo. IV c. lxx. Chapter 110 dealing with Beverley road was repealed by 9 Geo. IV c. lxxviii. Chapter 111 dealing with Whitby roads was repealed by 7 & 8 Geo. IV c. liii. Chapter 112 dealing with Kent roads was repealed by 10 Geo. IV c. lxxxviii. Chapter 113 dealing with Leicester roads was repealed by 45 Geo. III cc. xlix and lxxvii. Chapter 114 dealing with Cornwall roads was repealed by 7 & 8 Geo. IV. c. xviii. Chapter 115 dealing with Warwick roads was repealed by 9 Geo. IV c. lxxxviii. Chapter 116 dealing with Suffolk roads was repealed by 9 Geo. IV c. xlv. Chapter 117 dealing with Surrey roads was repealed by 42 Geo. III c. lxxvi. Chapter 118 dealing with Salop roads was repealed by 3 Geo. IV c. xlix. Chapter 119 dealing with Bideford roads was repealed by 5 Geo. IV c. cxv. Chapter 120 dealing with Dumfries roads was repealed by 47 Geo. III sess. 1 c. xxiv. Chapter 121 dealing with Derby roads was repealed by 11 Geo. IV & I Will. IV c. xxx. Chapter 122 dealing with Glamorgan roads was repealed by 45 Geo. III c. lxxiv. Chapter 123 dealing with Lincoln roads was repealed by 7 & 8 Geo. IV c. lvi. Chapter 124 dealing with Middlesex roads was repealed by 4 Geo. IV c. cvi. Chapter 125 dealing with Cheltenham roads was repealed by 5 Geo. IV c. c. Chapter 126 dealing with Southampton roads was repealed by 7 & 8 Geo. IV c. lxi. Chapter 127 dealing with Buckingham roads was partly repealed by 3 & 4 Will. IV c. lxxxvi and the balance in 1838. Chapter 128 dealing with Banbury roads was repealed by 9 Geo. IV c. lxxxvi. Therefore of the statutes of 1785, chapters 1-12, 14-22, 24-25, 27, 28 so far as unrepealed, 29, 32-34, 37-42, 46, 48-50, 52-53, 56-66, 68-74, 76-84, 87 so far as unrepealed, 88-98, 100 and 127 so far as unrepealed, remain to be repealed in South Australia today.

*Statutes 26 Geo. III (1786) cc. 1-160:*

Chapters 1 dealing with trade, 2 and 5 with export, 3 with land tax, 4 with trade with America, and 6 with malt duties, 7 with marine mutiny,

8 a personal Act and 10 with mutiny, were all repealed in 1871. Chapter 9 dealing with shop duties was repealed by 29 Geo. III c.9. Chapter 11 dealing with Dover Harbour was repealed by 9 Geo. IV c. xxxi. Chapter 12 dealing with improvements in Liverpool was repealed in 1921. Chapter 13 dealing with Alloa Harbour was repealed in 1872. Chapter 14 dealing with the coal trade in London was repealed by 46 Geo. III c. xxxii. Chapter 15 is a personal Act. Chapter 16 dealing with the East India Company was repealed by 33 Geo. III c.52. Chapters 17, 19, 27-28, 30, 55, 94, 110-111 and 117 are local Acts. Chapters 18, 22 and 118 all dealing with small debts in Kent were repealed in 1846. Chapter 20 dealing with Coventry Canal was repealed by 10 Geo. IV c. xlviii. Chapter 21 dealing with Dumbarton roads was repealed by statutes of 1878 and 1889. Chapter 23 dealing with an overseer for Westbury was repealed in 1948. Chapter 24 dealing with Shrewsbury Gaol was repealed in 1915. Chapter 25 dealing with Fort William in Bengal, the beginning of English jurisdiction in Bengal, was repealed in 1861. Chapter 26 dealing with Newfoundland fisheries and chapters 32 and 33 dealing with loans on Exchequer bills, were repealed in 1871. Chapter 29 dealing with Margate Theatre was repealed in 1948. Chapter 31 dealing with national debt reduction was amended by 48 Geo. III c.142, was partly repealed by statutes of 1871 and 1888 and is partly in force. Chapter 34 dealing with the national debt and chapter 48 with stamp duty were repealed in 1870. Chapter 35 dealing with the navy, chapter 43 with hemp, chapter 44 with imprisoned debtors and chapter 47 with admiralty courts for Scotland, were all repealed in 1871. Chapter 36 dealing with salt duties, chapter 41 with fisheries and chapter 42 with customs, were repealed in 1861. Chapter 37 dealing with Blackfriars Bridge was repealed in 1948. Chapter 38 dealing with imprisonment for debt was repealed in England in 1871. Section VII of that Act dealing with the fact that the Crown cannot both imprison and execute at the same time for a debt would appear to have some relevance even at the present day, and should be repealed and put in the Debtors Act 1936. Chapter 39 dealing with streets in Newcastle was repealed in 1837. Chapter 40 dealing with exports was repealed in 1918. Chapter 45 dealing with pilchard fishery was repealed in 1868. Chapter 46 dealing with Judges' salaries in Scotland, chapter 49 with stamp duty, and chapter 51 with starch duty, were repealed in 1861. Chapter 50 dealing with the southern whale fishery was repealed by 35 Geo. III c.92. Chapter 52 dealing with tobacco duties, chapter 53 with Acts continuance, chapter 54 with land tax, chapter 56 with poor law, chapter 58 with charity, and chapter 59 with excise, were all repealed in 1871. Chapter 57 setting up the first major British Courts in India was repealed in 1916. Chapter 60 dealing with shipping was repealed by 4 Geo. IV c.41. Chapter 61 dealing with appropriation, chapter 64 with excise, chapter 65 with lotteries, chapter 66 with fees in public offices, chapter 67 with audit, chapter 68 with the loyalists in America, chapter 69 with militia pay and chapter 70 which is merely an amendment of chapter 61, were all repealed in 1871. Chapter 71 dealing with horses was repealed by statutes from 1891 to 1938. Chapter 72 dealing with hackney coaches was repealed by 1 & 2 Will. IV c. 22. Chapters 73 and 74 dealing with excise, chapter 75 dealing with losses from the cession of East Florida, chapter 76 with export, and chapter 78 with paper duties, were repealed in 1871. Chapter 77 dealing with excise was repealed in 1890. Chapter 79 dealing with house duties was repealed by 43 Geo. III c.161. Chapters 80 dealing with Acts continuance, 85 with bounty, 87 with Crown revenues, and 88 a personal Act, were all repealed in 1871. Chapter 81 dealing with fisheries was repealed in 1872. Chapter 83 dealing with the coal trade was repealed in 1976. Chapter 84 dealing with power to the Archbishop of Canterbury or the Archbishop of York to consecrate Bishops out of Her Majesty's Dominions was repealed in 1875. It does

not appear to us that this is part of the ecclesiastical law which concerns the Church of England in Australia. Chapter 86 dealing with merchant shipping was repealed in 1854. Chapter 89 dealing with export and chapter 104 with customs were both repealed by 6 Geo. IV c.105. Chapter 90 dealing with salt duties, chapter 91 with lunatic asylums, and chapter 99 with fees in Exchequer, were repealed in 1861. Chapter 92 dealing with unlawful pawns, chapter 93 a personal Act, chapter 95 with putting Acts in force, chapter 97 with Exchequer bills, and chapter 121 with land tax, were repealed in 1871. Chapter 96 dealing with the celebrated proceedings against Warren Hastings was repealed in 1871. Chapter 98 dealing with promissory oaths and chapters 103 and 105 with land tax were repealed in 1871. Chapter 100 dealing with electoral law was repealed in 1881. On the face of it appears to apply only in England and Wales and not to be part of the law and custom of Parliament inherited by us in 1857. Chapter 101 dealing with lighthouses was repealed in 1854. Chapter 102 dealing with the streets of Westminster was repealed in 1948. Chapter 106 dealing with the British Fisheries Society was repealed in 1857. Chapter 107 dealing with the militia was repealed by 42 Geo. III c.90. Chapter 108 dealing with the coal trade was repealed by 47 Geo. III sess. 2 c. lxxviii. Chapter 109 a personal Act was repealed in 1981. Chapter 112 dealing with a watch for Westminster and chapter 114 with poor relief in Southwark were both repealed in 1901. Chapter 113 dealing with improvement in Edinburgh was repealed in 1879. Chapter 115 dealing with a workhouse for Barking was repealed by statutes of 1893 and 1950. Chapter 116 dealing with the streets of Cheltenham was repealed by 1 & 2 Geo. IV c. cxxi. Chapter 119 dealing with improvements in the Isle of Wight was partly repealed by 5 & 6 Will. IV c.76 and the balance in 1867. Chapter 120 dealing with the streets of Southwark was repealed by 52 Geo. III c. xiv. Chapter 122 dealing with Wareham roads was repealed by 11 Geo. IV & 1 Will. IV c. ci. Chapter 123 dealing with Crewkerne roads was repealed by 45 Geo. III c.iii. Chapter 124 dealing with Cromford Bridge road was repealed by 11 Geo. IV & 1 Will. IV c. c. Chapter 125 dealing with Worksop road was repealed by 6 Geo. IV c. cxlvi. Chapter 126 dealing with Liverpool road was repealed by 50 Geo. III c. lvii. Chapter 127 dealing with Norfolk roads was repealed by 4 Geo. IV c. lv. Chapter 128 dealing with Great Torrington roads was repealed by 5 Geo. IV c. lxxi. Chapter 129 dealing with Bodmin roads was repealed by 10 Geo. IV c. xix. Chapter 130 dealing with Bedford roads was repealed by 1 & 2 Geo. IV c. cvii. Chapter 131 dealing with South London roads was repealed by 50 Geo. III c. cxc and 3 Geo. IV c. cxii. Chapter 132 dealing with Kent roads was repealed by 9 Geo. IV c. cviii. Chapter 133 dealing with Wisbeach roads was repealed by 9 Geo. IV c. lxxiii. Chapter 134 dealing with Kent roads was repealed by 9 Geo. IV c. xvi. Chapter 135 dealing with Wiveliscombe roads was repealed by 6 Geo. IV c. xciii. Chapter 136 dealing with Minehead roads was repealed by 3 Geo. IV c. xcix and 9 Geo. IV c. lxxxiv. Chapter 137 dealing with Lincoln roads was repealed by 9 Geo. IV c. lxxviii. Chapter 138 also dealing with Lincoln roads was repealed by 48 Geo. III c. lxxiii. Chapter 139 dealing with Cheshire roads was repealed by 7 & 8 Geo. IV c. lxii and 9 Geo. IV c. lxxi. Chapter 140 dealing with Birstal roads was repealed by 9 Geo. IV c. lxxxiii. Chapter 141 dealing with Lincoln roads was repealed by 7 & 8 Geo. IV c. lvii. Chapter 142 dealing with Yorkshire roads was repealed by 6 Geo. IV c. clviii. Chapter 143 dealing with Hockliffe road was repealed by 11 Geo. IV & 1 Will. IV c. lxxxiii. Chapter 144 dealing with Yorkshire roads was repealed by 47 Geo. III sess. 2 c. cxxxiii. Chapter 145 dealing with Kent roads was partly repealed by 59 Geo. III c. xcvi and the balance in 1877. Chapter 146 dealing with Lincoln roads was repealed by 7 & 8 Geo. IV c. lxxvii. Chapter 147 dealing with Sussex roads was repealed by 9 Geo. IV c. cx. Chapter 148 dealing

with Welford Bridge road was repealed by 45 Geo. III c. lxxviii. Chapter 149 dealing with Brimington roads was partly repealed by 3 & 4 Will. IV c. lxxxviii and the balance in 1865. Chapter 150 dealing with Carmarthen roads was partly repealed by 9 Geo. IV c. lxxxi and the balance in 1844. Chapter 151 dealing with Derby roads was repealed by 10 Geo. IV c. lxxv. Chapter 152 dealing with Chesterfield road was repealed by 10 Geo. IV c. lxxx. Chapter 153 dealing with Stafford roads was repealed by 10 Geo. IV c. cxv. Chapter 154 dealing with Tonbridge road was repealed by 10 Geo. IV c. lxxii. Chapter 155 dealing with Selby road was repealed by 1 Geo. IV c. lxxv. Chapter 156 dealing with Lymington roads was repealed by 9 Geo. IV c. cvii. Chapter 157 dealing with Sussex roads was repealed by 9 Geo. IV c. xvii. Chapter 158 dealing with Southampton roads was repealed by 10 Geo. IV c. lxxxi. Chapter 159 dealing with Lincoln roads was repealed by 10 Geo. IV c. lxxviii. Chapter 160 dealing with Newcastle road was repealed by 9 Geo. IV c. lxxii. Accordingly of the statutes of 1786, chapters 1-8, 10, 12 and 13, 15, 17-19, 21-30, 31 so far as unrepealed, 32-37, 38 but with the qualification therein referred to, 39-49, 51-59, 61-71, 73-78, 80-86, 88-103, 105-106, 109-115 and 119, 145, 149 and 150 in each case so far as unrepealed, remain to be repealed in South Australia today.

*Statutes 27 Geo. III (1787) cc. 1-95:*

Chapter 1 dealing with lotteries was repealed by 46 Geo. III c.148. Chapter 2 sets up Courts for New South Wales. It follows the proclamations which had been made under 24 Geo. III c.56 at the end of 1786 and sets up the original military courts under which New South Wales was governed for over a generation. It was repealed in 1871. Chapter 3 dealing with marine mutiny, chapter 4 with malt duties, chapter 5 with land tax, chapter 6 with mutiny, chapter 7 with trade with America, chapter 8 with militia pay, chapter 12 a private Act, and chapter 13 with customs, were repealed in 1871. Chapter 9 dealing with postage was repealed in 1837. Chapter 10 dealing with fisheries was repealed in 1868. Chapter 11 dealing with the criminal law was repealed in 1871 and is dealt with in the Fifty-Eighth Report of this Committee. Chapter 14 dealing with streets in Canterbury was repealed by statutes of 1860 and 1890 and again for good measure in 1981. Chapter 15 dealing with Gainsborough Bridge was repealed in 1927. Chapter 16 dealing with promissory notes, chapter 18 with the Court of Justiciary in Scotland, and chapter 21 with coal duty, were repealed in 1871. Chapters 17, 49, 53, 56 and 58-64 are local Acts. Chapters 19 dealing with shipping, 27 with imports and 30 with spirit duties, were repealed in 1861. Chapter 20 dealing with the navigation of the Forth and Clyde was repealed in 1841. Chapter 22 dealing with Crown property was repealed by 32 Geo. III c.24 and 34 Geo. III c.75. Chapters 23 and 25 dealing with Exchequer bills and 24 with loans on Exchequer bills, were repealed in 1871. Chapter 26 dealing with post horse duties was repealed by 4 Geo. IV c.62. Chapter 28 dealing with glass duties was repealed in 1838. Chapter 29 dealing with competency of witnesses was repealed in 1861 and is dealt with in the Fifty-Eighth Report of this Committee. Chapter 31 dealing with exports was repealed by statutes of 1861 and 1948. Chapter 32 dealing with smuggling was repealed by 6 Geo. IV c.105. Chapter 33 dealing with appropriation, chapter 35 with fees, chapter 36 with Acts continuance, and chapter 39 with the loyalists in America, were repealed in 1871. Chapter 34 is a private Act. Chapter 37 dealing with pawnbrokers was repealed in 1871 and is dealt with in the Sixty-First Report of this Committee. Chapter 38 dealing with linen was repealed in 1842. Chapter 40 dealing with indemnity, chapter 41 with lotteries, and chapter 42 with recusancy, were all repealed in 1871. Chapter 43 dealing with the County Palatine of Chester was repealed in 1861. Chapter 44 dealing with the

ecclesiastical courts was repealed by statutes from 1840 to 1948 and is dealt with in the Sixty-First Report of this Committee. Chapter 45 a local Act was repealed in 1981. Chapter 46 dealing with Aberbrothock beer duties, and chapter 50 dealing with Newcastle Theatre, were repealed in 1948. Chapter 47 dealing with land tax was repealed in 1871. Chapter 48 dealing with East India Company warehouses was repealed in 1950. Chapter 51 dealing with improvements in Edinburgh was repealed in 1879. Chapter 52 dealing with streets in Camberwell and chapter 54 dealing with improvements at Westminster were repealed in 1901. Chapter 55 dealing with the navigation of the Forth and Clyde was repealed in 1841. Chapter 57 dealing with Dumfries beer duties was repealed in 1948. Chapter 65 dealing with Edinburgh College of Surgeons was repealed in 1860. Chapter 66 dealing with drainage in Lincoln was repealed by 2 & 3 Will. IV c. xciv. Chapter 67 a local Act was repealed in 1981. Chapter 68 dealing with Gloucester roads was repealed by 1 Will. IV cc. lxii and lxiii. Chapter 69 dealing with Essex roads was repealed by 3 Geo. IV c. xliv. Chapter 70 dealing with Kent roads was repealed by 10 Geo. IV c. xx. Chapter 71 dealing with Lincoln roads was repealed by 11 Geo. IV & 1 Will. IV c. xxv. Chapter 72 dealing with Sussex roads was repealed by 11 Geo. IV & 1 Will. IV c. lxxxii. Chapter 73 dealing with Warwick roads was repealed by 2 & 3 Will. IV c. vi. Chapter 74 dealing with Devon roads was repealed by 4 Geo. IV c. xvii. Chapter 75 dealing with Brecon roads was repealed by 49 Geo. III c. xiv. Chapter 76 dealing with Nottingham road was repealed by 9 Geo. IV c. xxiii. Chapter 77 dealing with Gloucester roads was repealed by 5 Geo. IV c. ix. Chapter 78 also dealing with Gloucester roads was repealed by 46 Geo. III c.1. Chapter 79 dealing with Roxburgh roads was repealed by 10 Geo. IV c. lxvi. Chapter 80 dealing with Kent roads was repealed by 10 Geo. IV c. xxvi. Chapter 81 dealing with Berkshire roads was repealed by 10 Geo. IV c.133. Chapter 82 dealing with Stafford roads was repealed by 2 & 3 Will. IV c. lxxxiv. Chapter 83 dealing with Stirling roads was repealed by 44 Geo. III c. lxxv. Chapter 84 dealing with Balby road was repealed by 9 Geo. III c. xlvi. Chapter 85 dealing with Salop roads was repealed by 59 Geo. III c. lxxxvi. Chapter 86 dealing with Yorkshire roads was repealed by 11 Geo. IV & 1 Will. IV c. cxxxi. Chapter 87 dealing with Derby roads was partly repealed by 11 Geo. IV & 1 Will. IV c. lxxxix and the balance in 1863. Chapter 88 dealing with Stafford roads was repealed by 9 Geo. IV c. xxxii. Chapter 89 dealing with Berwick roads was repealed by 2 & 3 Will. IV c. xxxi. Chapter 90 dealing with Stafford roads was repealed by 11 Geo. IV & 1 Will. IV c. cvi. Chapter 91 also dealing with Stafford roads was repealed by 10 Geo. IV c. lxxvi. Chapter 92 dealing with Stamford roads was repealed by 48 Geo. III cc. lxiii and cxiii. Chapter 93 dealing with Chester roads was repealed by 3 & 4 Will. IV c. xl. Chapter 94 dealing with Southampton roads was repealed by 9 Geo. IV c. xlvii. Chapter 95 dealing with Milford road was repealed by 1 Will. IV c. xxviii. Accordingly of the statutes of 27 George III, chapters 2-10, 12-21, 23-25, 27-31, 33-36, 38-43, 45-65, 67 and 87 so far as unrepealed, remain to be repealed in South Australia today.

*Statutes 28 Geo. III (1788) cc. 1-115:*

Chapters 1 dealing with malt duties, 2 with land tax, 3 with marine mutiny, 4 with excise, 5 with trade with America, 8 with the East India Company, 11 with militia pay, 12 with mutiny, and 16 with export, were all repealed in 1871. Chapter 6 dealing with trade was repealed by 3 Geo. IV c.44. Chapter 7 dealing with gold and silver thread was partly repealed by statutes from 1887 to 1973 and is partly still in force. Chapters 9 and 10, 60-63, 67, 69-75, 77-79, 81-82 and 115 are local Acts. Chapter 13 dealing with improvements at Liverpool was repealed by 5 & 6 Will. IV c.76. Chapter 14 dealing with drainage at North Kyme was repealed in



1840. Chapter 15 dealing with the water supply to South Shields was repealed in 1852. Chapter 17 dealing with thread was repealed by 7 & 8 Geo. IV c.9. Chapters 18 and 19 dealing with loans on Exchequer bills, 21 with a lottery, 22 with indemnity, 23 and 24 with Acts continuance, and 26 with a lottery, were repealed in 1871. Chapter 20 dealing with the southern whale fishery was repealed by 35 Geo. III c.92. Chapter 27 and 33 dealing with the customs, 28 with stamp duties, and 34 with quarantine, were repealed in 1861. Chapter 29 dealing with the East India Company was repealed in 1937. Chapter 30 dealing with theatres was repealed in 1843. Chapter 31 dealing with losses from the cession of East Florida was repealed in 1871. Chapter 32, a personal Act, was repealed in 1948. Chapter 35 dealing with Newfoundland fisheries was repealed in 1871. Chapter 36 dealing with county elections was repealed by 29 Geo. III c.18. Chapter 37 dealing with excise was repealed in 1889. Chapter 38 dealing with export was repealed in 1861. Chapter 39 dealing with imports was repealed by 3 Geo. IV c.44. Chapters 40 and 44 dealing with losses sustained by the loyalists in America, 41-43 which are personal Acts, 45 with export, 46 with excise, and 47 with recusancy, were all repealed in 1871. Chapter 49 dealing with justices of the peace was repealed in England in 1861. It was adopted in South Australia by Ordinance 15 of 1849 which was in its turn repealed in 1921. Chapter 50 dealing with pawnbrokers was repealed in 1871, as was chapter 54 dealing with the slave trade. Chapter 51 dealing with Thames navigation was repealed in 1894. Chapter 52 dealing with controverted elections was repealed by 9 Geo. IV c.22. Chapter 53 dealing with the coal trade was repealed in 1861. Chapter 55 dealing with Luddite riots was repealed in 1889 and is dealt with in the Fifty-Ninth Report of this Committee. Chapter 56 dealing with marine insurance was repealed in 1906. In Australia the matter is dealt with by the Commonwealth Marine Insurance Act 1909. Chapter 57 dealing with stage coaches was repealed by 50 Geo. III c. 48. Chapter 58 dealing with Leith harbour was repealed in 1877. Chapter 59 dealing with a relief fund for sailors on the River Tyne was repealed in 1948. Chapter 64 dealing with improvements at Cambridge was repealed in 1889. Chapter 65 dealing with improvements at Bristol was repealed in 1837. Chapter 66 dealing with buildings in Bristol was repealed in 1840. Chapter 68 dealing with improvements at Southwark was repealed in 1901. Chapter 76 dealing with poor relief at Exeter was repealed in 1913. Chapter 80 dealing with Sawley Ferry bridge was repealed in 1896. Chapter 83 dealing with the rebuilding of the Church of St. Paul's, Covent Garden was repealed by 10 Geo. IV c. xviii. Chapter 84 dealing with Dartford roads was repealed by 1 Will. IV c. viii. Chapter 85 dealing with Kent roads was repealed by 1 Will. IV c. lxx. Chapter 86 dealing with Wiltshire roads was repealed by 11 Geo. IV & 1 Will. IV lxxxviii. Chapter 87 dealing with Nottinghamshire roads was repealed by 2 & 3 Will. IV c. xxxii. Chapter 88 dealing with Worcester roads was repealed by 56 Geo. III c. xlvi. Chapter 89 dealing with Derby roads was repealed by 11 Geo. IV & 1 Will. IV c. xci. Chapter 90 dealing with Catterick Bridge road was repealed by 50 Geo. III c. vii. Chapter 91 dealing with Dorset roads was repealed by 1 Will. IV c. ix. Chapter 92 dealing with Glasgow roads was repealed by 53 Geo. III c. lxxiii. Chapter 93 dealing with Kent roads was repealed by 10 Geo. IV c. xxiv. Chapter 94 dealing with Salop roads was repealed by 1 Will. IV c. ii. Chapter 95 dealing with Kingston-upon-Hull roads was repealed by 10 Geo. IV c. xcii. Chapter 96 dealing with Montgomery roads was repealed by 1 Geo. IV c. xlv. Chapter 97 dealing with Suffolk roads was repealed by 9 Geo. IV c. lxxv. Chapter 98 dealing with Stafford roads was repealed by 1 Will. IV c. xlvi. Chapter 99 dealing with Nottinghamshire roads was repealed by 11 Geo. IV & 1 Will. IV c. vii. Chapter 100 dealing with Leicester roads was repealed by 1 Will. IV c. xxxviii. Chapter 101 dealing

with Flint roads was repealed by 49 Geo. III c. xi and 7 Geo. IV c. lxxvi. Chapter 102 dealing with Pembroke roads was repealed by 11 Geo. IV & 1 Will. IV c. xxxv. Chapter 103 dealing with Huddersfield roads was repealed by 1 & 2 Will. IV c. xl. Chapter 104 dealing with Chester roads was repealed by 5 Geo. IV c. xxv. Chapter 105 dealing with Radnor roads was repealed in 1844. Chapter 106 dealing with Yorkshire roads was repealed by 1 & 2 Will. IV c. xv. Chapter 107 dealing with Warwick roads was repealed by 2 & 3 Will. IV c. xxxiii. Chapter 108 dealing with Yorkshire roads was repealed by 1 Will. IV c. xliv. Chapter 109 dealing with Carmarthen roads was repealed by 11 Geo. IV & 1 Will. IV c. xxix and 1 Will. IV c. lviii. Chapter 110 dealing with Yorkshire roads was repealed by 11 Geo. IV & 1 Will. IV c. lxxiv. Chapter 111 dealing with Chester roads was repealed by 9 Geo. IV C. cv and 10 Geo. IV c. xxv. Chapter 112 dealing with Denbigh roads was partly repealed by 3 Geo. IV c.1 and 9 Geo. IV c. lxxviii and the balance in 1838. Chapter 113 dealing with Lancaster roads was repealed by 10 Geo. IV c. lxxxv. Chapter 114 dealing with Dumfries roads was repealed by 41 Geo. III c. xlix. Accordingly of the statutes of 1788, chapters 1-5, 7-12, 14-16, 18 and 19, 21-35, 37-38, 40-48, 50-51, 53-54, 56, 58-82, 105, 112 so far as unrepealed, and 115 need to be repealed in South Australia today.

*Statutes 29 Geo. III (1789) cc. 1-110:*

Chapters 1 dealing with trade with America, 2 with mutiny, 3 with marine mutiny, 6 with land tax, 9 with shop duties, 10 with malt duties, 13 and 18 with the suspension and repeal of Acts relating to county elections, and 15 with militia pay, were all repealed in 1871. Chapter 4 a local Act was repealed in 1948. Chapters 5, 11, 14, 22, 24, 28, 31-32, 38-39, 42, 44, 48, 70, 73-74, 76, 78, 97 and 106 are local Acts. Chapter 7 dealing with Roxburgh roads was repealed by 46 Geo. III c. xlvi. Chapter 12 dealing with improvements at Whitby was repealed in 1837. Chapter 16 dealing with imports was repealed by 3 Geo. IV c.44. Chapter 17 dealing with Perth roads was repealed by 51 Geo. III c. cxvii and cxviii. Chapter 19 dealing with linen prints was repealed in 1842. Chapter 20 dealing with Forfar roads was repealed by 50 Geo. III cc. cxx and cxxi and 7 Geo. IV c. cxviii. Chapter 21 dealing with New Shoreham Harbour was repealed by 56 Geo. III c. lxxxi. Chapter 23 dealing with Bridlington Pier was repealed in 1837. Chapter 25 a local Act was repealed in 1981. Chapter 26 dealing with duty on hawkers was repealed in 1861. Chapter 27 dealing with improvements at Hastings was repealed by 1 Geo. IV c. xii. Chapter 29 dealing with a workhouse for Highworth was repealed in 1948. Chapter 30 dealing with Church repairs on the Church of St. Paul, Covent Garden was repealed by 10 Geo. IV c. lxxviii. Chapter 33 dealing with a lottery, chapters 34 and 35 with loans on Exchequer bills, 36 with recusancy, 40 with indemnity, 45 with excise duties, 51 with stamp duty, 54 with flax, and 55 with Acts continuance, were all repealed in 1871. Chapter 37 dealing with the national debt was repealed in 1870. Chapter 41 dealing with lotteries was repealed in 1887. Chapter 43 dealing with improvements to Greenock was repealed by statutes of 1840 and 1866. Chapter 46 dealing with destruction of property in Scotland was repealed in 1948. Chapter 47 dealing with improvements in the parish of St. James, Westminster was repealed in 1901. Chapter 49 dealing with carriage duty, chapter 50 with stamp duty, chapter 53 with whale fisheries, and chapter 59 with customs, were repealed in 1861. Chapter 52 dealing with the erection of lighthouses was repealed in 1854. Chapter 56 dealing with trade was repealed by 3 Geo. IV c.44. Chapter 57 dealing with pawnbrokers was determined by 36 Geo. III c.87. Chapter 58 dealing with imports was repealed by 31 Geo. III c.30. Chapters 60 and 64 dealing with customs, 61 with appropriation, 62 with the loyalists in America, 63 with excise, and 66 with the slave trade, were all repealed

in 1871. Chapter 65 dealing with East India Company stock was repealed in 1937. Chapter 67 dealing with gaols was repealed in 1861. Chapter 68 dealing with tobacco duties was repealed in 1840. Chapter 69 dealing with improvements at Faversham was repealed in 1889. Chapter 71 dealing with improvements at St. Pancras was repealed in 1901. Chapter 72 dealing with Andover Canal was repealed in 1859. Chapter 75 dealing with improvements in the Parish of St. George, Hanover Square was repealed by 7 Geo. IV c. cxxi. Chapter 77 dealing with Southwold Harbour was repealed by 11 Geo. IV & 1 Will. IV c. xlvi. Chapter 79 dealing with Ayr roads was repealed in 1842. Chapter 80 dealing with Sunderland roads was repealed by 1 & 2 Will. IV c. lxiv. Chapter 81 dealing with Durham roads was repealed by 2 & 3 Will. IV c. lxi. Chapter 82 dealing with Old Street road Middlesex was repealed by 7 Geo. IV c. cxlii. Chapter 83 dealing with Stafford roads was repealed by 2 & 3 Will. IV c. lxxi and 4 & 5 Will. IV c. xxviii. Chapter 84 dealing with Kent roads was repealed by 3 & 4 Will. IV c. xxviii. Chapter 85 dealing with Kent and Sussex roads was repealed by 1 Will. IV c. xlv. Chapter 86 dealing with Wakefield road was repealed by 1 Will. IV c. xxxv. Chapter 87 dealing with Dumfries roads was repealed by 41 Geo. III c. xlix. Chapter 88 dealing with Southampton roads was repealed by 59 Geo. III c. vii. Chapter 89 dealing with Odiham roads was repealed by 2 & 3 Will. IV c. xxx. Chapter 90 dealing with Oxford roads was repealed by 5 Geo. IV c. xcix. Chapter 91 dealing with Nantwich road was repealed by 5 Geo. IV c. xxxvi. Chapter 92 dealing with Lanark roads was repealed by statutes of 1878 and 1889. Chapter 93 dealing with Chester roads was repealed by 11 Geo. IV & 1 Will. IV c. xxxii. Chapter 94 dealing with Suffolk roads was repealed by 1 & 2 Will. IV c. xix. Chapter 95 dealing with Stowbridge roads was repealed by 1 & 2 Geo. IV c. lxxxviii. Chapter 96 dealing with Middlesex roads was repealed by 55 Geo. III c. lix. Chapter 98 dealing with Doncaster roads was repealed by 7 Geo. IV c. cxxx. Chapter 99 dealing with Chester roads was repealed by 4 Geo. IV c. lxxxii. Chapter 100 dealing with Kent roads was repealed by 10 Geo. IV c. lxi. Chapter 101 dealing with Somerset roads was repealed by 11 Geo. IV & 1 Will. IV c. xxxiv. Chapter 102 dealing with Worcester roads was repealed by 5 Geo. IV c. cxl. Chapter 103 dealing with Evesham roads was repealed by 3 Geo. IV c. lxxix. Chapter 104 dealing with Hereford roads was repealed by 3 & 4 Will. IV c. lviii. Chapter 105 dealing with Edinburgh roads was repealed by 5 & 6 Will. IV c. lxxii. Chapter 107 dealing with Lancaster roads was repealed by 55 Geo. III c. xiv and 7 & 8 Geo. IV c. hxxviii. Chapter 108 dealing with Hereford roads was repealed by 50 Geo. III c. lxxiii. Chapter 109 dealing with Yorkshire roads was repealed by 6 Geo. IV c. cl. Chapter 110 dealing with Lancaster roads was partly repealed by 59 Geo. III c. xciii and the balance in 1873. Accordingly of the statutes of 1789, chapters 1-6, 8-15, 18 and 19, 22-26, 28-29, 31-55, 59-74, 76, 78-79, 92, 97, 106 and 110 so far as unrepealed, remain to be repealed in South Australia today.

*Statutes 30 Geo. III (1790) cc. 1-115:*

Chapters 1 dealing with imports, 2 with land tax, 3 with malt duties, 5 with payment of creditors in Scotland, 6 with mutiny, 7 with marine mutiny, and 9 with militia pay, were all repealed in 1871. Chapters 4 dealing with customs, 26 with auction duties, 27 with the settlement of immigrants in Canada and the West Indies, and 28 with imports, were all repealed in 1861. Chapter 8 dealing with trade was repealed by 3 Geo. IV c.44. Chapter 10 dealing with the Speaker of the House of Commons was repealed by 2 & 3 Will. IV c.105 s.8. Chapter 11 dealing with trade with America, chapter 12 with indemnity, chapter 13 with land tax, chapters 15 and 16 with loans on Exchequer bills, chapter 17 with the Exchequer Court in Scotland, chapter 18 with Acts continuance, and

chapter 19 with recusancy, were all repealed in 1871. Chapter 14 dealing with the discovery of longitude at sea was repealed by 58 Geo. III c.20. Chapters 20-21, 52, 55-56, 58-59, 61, 63-65, 68-69, 72-76, 78-79, 81, 83-85 and 106 are local Acts. Chapter 22 dealing with poor relief in Suffolk was repealed in 1948. Chapter 23 dealing with post horse duties and chapter 24 dealing with loans on Exchequer bills, were both repealed in 1871. Chapter 25 dealing with improvements at Honiton was repealed in 1910. Chapter 29 dealing with imports and chapter 43 dealing with customs seizure were both repealed by 6 Geo. IV c.105. Chapter 30 dealing with lotteries, chapter 32 with appropriation, chapter 33 with the slave trade, chapter 34 with loyalists in America, chapter 35 with Parliamentary elections relating to knights of the Shire, and chapter 37 with excise, were all repealed in 1871. Chapter 31 dealing with silver plate was partly repealed by statutes from 1871-1973 and is partly still in force. Chapter 36 dealing with stage coaches was repealed by 50 Geo. III c.48. Chapter 38 dealing with sale of liquors by retail was repealed by statutes of 1871 and 1880. Chapter 39 dealing with distillers, chapter 42 with imports, and chapter 44 a personal Act, were all repealed in 1871. Chapter 40 dealing with tobacco duty was repealed in 1840. Chapter 41 dealing with imports was repealed in 1861. Chapter 45 dealing with annuities was repealed in 1887. Chapter 46 a personal Act was repealed in 1893. Chapter 47 deals with transportation to New South Wales and gives power to the Governor or Lieutenant-Governor to remit sentences. It was repealed in 1871 in England and is dealt with in the Fifty-Ninth Report of this Committee. Chapter 48 dealing with treason had section 2 repealed by 9 Geo. IV c.31. Part of the balance was repealed in England between 1871 and 1960 and the statute is still partly in force there. It is dealt with in the Fifty-Ninth Report of this Committee. Chapter 49 dealing with workhouses was repealed in 1927. Chapter 50 dealing with land revenues was repealed in 1871. Chapter 51 is a private Act. Chapter 53 dealing with improvements at Westminster was partly repealed by 6 Geo. IV c. cxxxiv and the balance in 1901. Chapter 54 dealing with Westminster fish market was repealed in 1868. Chapter 57 dealing with Ipswich navigation was repealed by statutes of 1930 and 1934. Chapter 60 dealing with the Stourbridge canal was repealed in 1846. Chapter 62 dealing with the streets of Truro was repealed by 5 & 6 Will. IV c. c. Chapter 66 dealing with streets in Peterborough was repealed in 1850. Chapter 67 dealing with streets in Durham was repealed in 1905. Chapter 70 dealing with the Parish of St. James, Westminster, chapter 71 dealing with St. John's Church Hackney, and chapter 80 dealing with poor relief in Streatham, were all repealed in 1901. Chapter 77, a local Act was repealed in 1980. Chapter 82 likewise a local Act was repealed in 1976. Chapter 86 dealing with Norwich roads was repealed by 1 Will. IV c. lxxv. Chapter 87 dealing with Norfolk roads was repealed by 3 & 4 Will. IV c. xxxix. Chapter 88 dealing with Chester roads was repealed by 3 & 4 Will. IV c. lix. Chapter 89 dealing with Herfordshire roads was repealed by 55 Geo. III c. xxxv and 3 Geo. IV c. lxxviii. Chapter 90 dealing with Kent roads was repealed by 2 & 3 Will. IV c. lxxiv. Chapter 91 dealing with Pembroke roads was repealed by 48 Geo. III c. cxxxix. Chapter 92 dealing with Leicester roads was repealed by 1 Will. IV c. xxxviii. Chapter 93 dealing with Fife roads was repealed by 50 Geo. III c. lxxii and 10 Geo. IV c. lxxxiv. Chapter 94 dealing with Cambridge roads was repealed in 1841. Chapter 95 dealing with Dorset roads was repealed by 11 Geo. IV & 1 Will. IV c. xxiv. Chapter 96 dealing with Wiltshire roads was repealed by 39 Geo. III c. xlix. Chapter 97 dealing with Surrey roads was repealed by 11 Geo. IV & 1 Will. IV c. xviii. Chapter 98 dealing with Wiltshire roads was repealed by 1 Geo. IV c. lxix. Chapter 99 dealing with Yorkshire roads was repealed by 4 Geo. IV c. xlix. Chapter 100

dealing with Stafford roads was repealed by 51 Geo. III c. lxxvi and 1 Will. IV c. lxxviii. Chapter 101 dealing with Bromsgrove roads was repealed by 59 Geo. III c. xlix. Chapter 102 dealing with Worcester roads was repealed by 2 & 3 Will. IV c. lxxxv. Chapter 103 dealing with Huntingdonshire roads was repealed by 56 Geo. III c. lii. Chapter 104 dealing with Norfolk roads was repealed by 3 & 4 Will. IV c. xv. Chapter 105 dealing with Linlithgow roads was repealed by 49 Geo. III c. xxxviii. Chapter 107 dealing with Staffordshire roads was repealed by 50 Geo. III c. civ and 1 Will. IV c. lxxviii. Chapter 108 also dealing with Linlithgow roads was repealed by 51 Geo. III c. ci. Chapter 109 dealing with Stirling roads was repealed by 38 Geo. III c. xxiv. Chapter 110 dealing with Denbigh roads was repealed by 3 & 4 Will. IV c. xxvii. Chapter 111 dealing with Salop roads was repealed by 2 & 3 Will. IV cc. lv and lxxv. Chapter 112 dealing with Stafford roads was repealed by 3 & 4 Will. IV c. liv. Chapter 113 dealing with Derby roads was partly repealed by 52 Geo. III c. vii and the balance in 1876. Chapter 114 dealing with Bedford roads was repealed by 2 & 3 Will. IV c. xviii. Chapter 115 dealing with Hertford roads was repealed by 5 & 6 Will. IV c. xxxix. Accordingly of the statutes of 1790, chapters 1-7, 9, 11-13, 15-28, 30-35, 37-42, 44-46, 49-52, 53 so far as unrepealed, 54-61, 63-85, 94, 106, and 113 so far as unrepealed, remain to be repealed in South Australia today.

*Statutes 31 Geo. III (1791) cc. 1-137:*

Chapter 1 dealing with spirit duties and chapter 5 with assessments were repealed in 1861. Chapters 2 dealing with malt duties, 3 a personal Act, 4 with imports, 6 with land tax, 7 with malt duties, 8 with indemnity, 9 with marine mutiny and 10 with forces in India, were repealed in 1871. Chapter 11 dealing with the East India Company was repealed in 1937. Chapter 12 dealing with trade with America, chapter 13 with mutiny, chapter 14 with land tax, and chapter 16 with militia pay, were repealed in 1871. Chapter 15 dealing with customs, chapter 21 dealing with hares, chapter 26 with customs, and chapter 27 with excise, were repealed in 1861. Chapter 17 dealing with improvements at Warwick was repealed in 1851. Chapter 18 dealing with improvements at St. Pancras, and chapter 19 dealing with poor relief in Bermondsey, were both repealed in 1901. Chapter 20, 22, 24, 59-61, 66-67, 71, 73-75, 77-79, 81, 85-89, 91-93, 111, 116 and 135 are local Acts. Chapter 23 dealing with Maryport Harbour was repealed by 3 & 4 Will. IV c. cxiii. Chapters 25 dealing with stamp duty and 33 dealing with the Bank of England were repealed in 1870. Chapters 28 dealing with the wine licence office, and 34 dealing with an annuity to the Duke of Clarence, were both repealed in 1871. Chapter 29 dealing with courts in Newfoundland was determined by 23 Geo. III c.46. Chapter 30 dealing with imports was repealed by 1 & 2 Geo. IV c.87. Chapter 31 dealing with clergy in Canada was repealed in 1966. Chapter 32 dealing with Roman Catholic relief was partly repealed by statutes from 1846-1972 and is still partly in force. Chapter 35 dealing with evidence was repealed by 7 & 8 Geo. IV c.27. Chapter 36 dealing with coal was repealed in 1948. Chapters 37, 42 and 47 dealing with imports, 43 with Acts continuance, and 51 with oyster fisheries, were repealed in 1861. Chapter 38 dealing with imports was repealed by 3 Geo. IV c.44. Chapter 39 dealing with merchant shipping was repealed by 5 & 6 Will. IV c.19. Chapter 40 dealing with the East Indies, chapter 41 with appropriation and chapter 44 with spirits, were repealed in 1871. Chapter 45 dealing with pilchard fisheries was repealed in 1868. Chapter 46 dealing with gaols was repealed in 1861 and is dealt with in the Fifty-Ninth Report of this Committee. Chapters 48-50 dealing with loans on Exchequer bills, 52 with pawnbrokers, 53 with a lottery, and 54 with slave trade, were repealed in 1871. Chapter 55 dealing with Sierra Leone was repealed in 1861. Chapter 56 dealing with woollen manufacture was

repealed in 1889. Chapter 57 dealing with Edinburgh Prison was repealed in 1948. Chapter 58 is a personal Act. Chapter 62 dealing with improvements at Maidstone was repealed in 1866. Chapter 63 dealing with paving Chichester was repealed in 1893. Chapter 64 dealing with improvements at Deal was repealed by 52 Geo. III c. lxxiii. Chapter 65 dealing with improvements at Leicester was repealed in 1848. Chapter 68 dealing with Manchester Canal was repealed by 1 & 2 Will. IV c. lx. Chapter 70 dealing with improvements at Stourbridge was repealed by 6 Geo. IV c. xix. Chapter 72 dealing with poor relief in Suffolk was repealed by 7 Geo. IV c. i. Chapter 76 dealing with navigation on the lower Ouse was repealed in 1847. Chapter 80 dealing with improvements at Lincoln was repealed by 9 Geo. IV c. xxvii. Chapter 82 dealing with Kirkcaldy beer duties was repealed in 1948. Chapter 83 dealing with Swansea Harbour was repealed in 1854. Chapter 84 dealing with Staines Bridge was repealed by 9 Geo. IV c. c. Chapter 90 dealing with Finsbury Square was partly repealed by 35 Geo. III c. 45 and the balance in 1901. Chapter 94 dealing with Kent roads was repealed by 43 Geo. III c. xvii. Chapter 95 dealing with Ayr roads was repealed in 1842. Chapter 96 dealing with Bedford roads was repealed by 56 Geo. III c. lii. Chapter 97 dealing with Cardigan roads was repealed by 3 & 4 Will. IV c. xxxvii. Chapter 98 dealing with Warwick roads was repealed by 3 & 4 Will. IV c. xvi. Chapter 99 dealing with Essex roads was repealed by 10 Geo. IV c. xxi. Chapter 100 dealing with Norfolk roads was repealed by 2 & 3 Will. IV c. lxxxiii. Chapter 101 dealing with Bicester road was repealed by 3 & 4 Will. IV c. xxiv. Chapter 102 dealing with Pembroke roads was repealed by 2 & 3 Will. IV c. liv. Chapter 103 also dealing with Bicester roads was partly repealed by 53 Geo. III c. cc and the balance in 1876. Chapter 104 dealing with Sussex roads was repealed by 2 & 3 Will. IV c. lvii. Chapter 105 dealing with Berkshire roads was repealed by 3 & 4 Will. IV c. xci. Chapter 106 dealing with Fishguard roads was repealed by statutes of 1844 and 1847. Chapter 107 dealing with Ayr roads was repealed by 54 Geo. III c. ccii. Chapter 108 dealing with Hertford roads was repealed by 51 Geo. III c. clviii. Chapter 109 dealing with Pembroke roads was repealed by 48 Geo. III c. cxlvii. Chapter 110 dealing with Southwark roads was repealed by 4 Geo. IV c. lxxxiv. Chapters 112 and 113 dealing with Norfolk roads were repealed by 1 & 2 Will. IV c. xx and c. xxi respectively. Chapter 114 dealing with Hereford roads was repealed by 55 Geo. III c. lxi. Chapter 115 dealing with Lewes road was repealed by 3 & 4 Will. IV c. xliii. Chapter 117 dealing with Devon roads was repealed by 3 & 4 Will. IV c. vi. Chapter 118 dealing with Sussex roads was repealed by 6 Geo. IV c. xxxiv. Chapter 119 dealing with Southampton roads was repealed by 3 & 4 Will. IV c. lxxvii. Chapter 120 dealing with Shepton Mallet roads was repealed in 1874. Chapter 121 dealing with Wiltshire roads was repealed by 3 & 4 Will. IV c. xcii. Chapter 122 dealing with Yorkshire roads was partly repealed by 53 Geo. III c. clxxxvii and the balance in 1867. Chapter 123 dealing with Stafford roads was repealed by 3 & 4 Will. IV c. vii. Chapter 124 dealing with Brentford roads was repealed by 7 Geo. IV c. cxlii. Chapter 125 dealing with Chester roads was repealed by 1 Will. IV c. xv. Chapter 126 dealing with Pembroke roads was repealed in 1844. Chapter 127 dealing with Stafford roads was repealed by 3 & 4 Will. IV c. xcvi. Chapter 128 dealing with Oxford roads was repealed by 50 Geo. III c. ccx. Chapter 129 also dealing with Stafford roads was repealed by 4 Geo. IV c. xxx. Chapter 130 dealing with Hertford roads was repealed by 1 & 2 Geo. IV c. xcii. Chapter 131 dealing with Nottingham roads was partly repealed by 53 Geo. III c. xii and the balance in 1869. Chapter 132 also dealing with Nottingham roads was repealed in 1839. Chapter 133 dealing with Buckingham road was repealed in 1851. Chapter 134 dealing with Middlesex roads was repealed by 49 Geo. III c. lviii and 56 Geo. III c. xviii. Chapter 136 dealing with

Buckinghamshire roads was repealed by 3 & 4 Will. IV c. lxxxvi. Chapter 137 dealing with Sussex roads was repealed by 6 Geo. IV c. xliii. Accordingly of the statutes of 1791, chapters 1-22, 24-28, 31-34, 36-37, 40-45, 47-63, 65-67, 69, 71, 73-49, 81-83, 85-89, 91-93, 95, 103 so far as not already repealed, 106, 111, 116, 120, 122 so far as not already repealed, 126, 131 so far as not already repealed, 132-133 and 135 remain to be repealed in South Australia today.

*Statutes 32 Geo. III (1792) cc. 1-160:*

Chapter 1 dealing with controverted elections was repealed by 9 Geo. IV c.22. Chapter 2 dealing with house duties was repealed by 43 Geo. III c.161. Chapter 3 dealing with duties on servants employed, chapter 4 with wagon duties, 5 and 23 with land tax, 6 and 18 with malt duties, 7 with candle duty, 8 with excise, 9 with exports, 13 a personal Act, 14 dealing with trade with America, 15 and 16 dealing with loans on Exchequer bills, 17 with marine mutiny, 19 with mutiny, and 26 with militia pay, were all repealed in 1871. Chapters 10 dealing with excise, 11 with sales by auction, 12 with the national debt, and 22 with fishery, and 37 dealing with imports, were repealed in 1861. Chapters 20, 30-31, 38-39, 64, 70, 74-76, 80, 83-85, 87-88, 95, 97-102, 104, 106-110, 148 and 159 are local Acts. Chapter 21 dealing with frauds on the excise was repealed in 1840. Chapter 24 dealing with Crown lands is still in force. Chapter 25 dealing with the Bank of Scotland was repealed in 1981. Chapters 27 dealing with indemnity, 28 with a lottery, 35 with appropriation, 36 with Acts continuance, and 52 with the slave trade, were all repealed in 1871. Chapter 29, a local Act, was repealed in 1981. Chapters 32 and 43 dealing with the customs and 50 dealing with the coasting trade, were repealed by 6 Geo. IV c.105. Chapter 33 dealing with the Navy was repealed by 11 Geo. IV & 1 Will. IV c.20. Chapter 34 dealing with the Navy was repealed by 55 Geo. III c.60. Chapter 40 dealing with excise on glass was repealed in 1838. Chapter 41 dealing with auction duty, chapter 48 dealing with Middlesex sessions, chapter 49 dealing with imports, and chapter 51 dealing with stamp duty, were all repealed in 1861. Chapter 42 dealing with moneys in Chancery was repealed in 1872. Chapter 44 dealing with silk manufacture was repealed by 5 Geo. IV c.66. Chapter 45 dealing with rogues and vagabonds was repealed in 1861 and is dealt with in the Fifty-Eighth Report of this Committee. Chapter 46 dealing with Newfoundland was determined by 33 Geo. III c.76. Chapter 47 dealing with Hackney coaches was repealed by 1 & 2 Will. IV c.22. Chapter 53 dealing with justices of the peace in London was repealed by 42 Geo. III c.76. Chapter 54 dealing with customs, chapter 55 with the national debt, and chapter 65 with trade, were all repealed in 1861. Chapter 56 dealing with references for servants was repealed by statutes of 1976 and 1981. Chapter 57 dealing with the poor law was repealed in 1927. Chapter 58 dealing with quo warranto was repealed in 1887 and is dealt with in the Sixty-Fifth Report of this Committee. Chapter 59 dealing with alehouses was repealed by 9 Geo. IV c.61. Chapter 60, Fox's Libel Act, is certainly in force in South Australia. It was held to be in force in New South Wales in *Holroyd v. Parkes (1856) 10 L.R. N.S.W. 166* and is dealt with in the Sixty-First Report of this Committee. Chapter 61 dealing with newspapers was repealed in 1871. Chapter 62 dealing with coaches in Bond Street London and chapters 72 and 73 which are private Acts, were repealed in 1948. Chapter 63 dealing with the Episcopal Church in Scotland was partly repealed by statutes from 1864-1948 and is partly still in force. Chapter 66 dealing with St. Pancras Church was repealed by 1 & 2 Geo. IV c. xxiv. Chapter 67 dealing with the marines was repealed by 11 Geo. IV & 1 Will. IV c.20. Chapter 68 dealing with Renfrew roads and bridges was repealed by statutes of 1878 and 1889. Chapter 69 dealing with Manchester improvement was partly repealed by statute 11 Geo. IV & 1

Will. c. viii and the remainder in 1851. Chapter 71 dealing with Great and Little Bolton improvement was partly repealed by statute 11 Geo. IV & 1 Will. IV c. xlvi and the balance in 1850. Chapter 77 dealing with Gloucestershire small debts was repealed in 1846. Chapter 78 dealing with Derby improvement was repealed by 6 Geo. IV c. cxxxii. Chapter 79 dealing with Boston pilotage was repealed in 1950. Chapter 81 dealing with the Birmingham Canal was repealed in 1840. Chapter 82 dealing with Bristol Gaol was repealed by 56 Geo. III c. lix. Chapter 86 dealing with Broadstairs Pier was repealed in 1912. Chapter 89 dealing with Leeds Church was repealed in 1901. Chapter 90 dealing with Sunderland improvement was repealed in 1857. Chapter 91 dealing with Lincolnshire drainage was repealed in 1948. Chapter 92 dealing with Beer harbour in Devon was repealed by 1 Geo. IV c. v. Chapter 93 dealing with Leith ferries was repealed in 1842. Chapter 94 dealing with Nith fisheries was repealed by 44 Geo. III c. xlv. Chapter 96 dealing with Montgomery poor relief was repealed by 6 Geo. IV c. cxxiii. Chapter 103 dealing with improvement at Portsea was repealed in 1843. Chapter 105 dealing with navigation in the Medway was repealed by 42 Geo. III c. xciv. Chapter 111 dealing with Norwich to Thetford road was partly repealed by 56 Geo. III c. lxxviii and the balance in 1869. Chapter 112 dealing with Norwich to Swaffham road was repealed by 5 & 6 Will. IV c. xl. Chapter 113 dealing with Durham roads was repealed by 53 Geo. III c. xl and 3 & 4 Will. IV c. lvi. Chapter 114 dealing with Wiltshire roads was partly repealed by 53 Geo. III c. cxxviii and the balance in 1871. Chapter 115 dealing with Horsham roads was repealed by 11 Geo. IV & 1 Will. IV c. civ. Chapter 116 dealing with Warwick roads was repealed by 3 & 4 Will. IV c. xli. Chapter 117 dealing with Kent roads was repealed in 1862. Chapter 118 dealing with Yorkshire roads was repealed by 52 Geo. III c. xxxviii. Chapter 119 dealing with Kingston road was repealed by 43 Geo. III c. cxi. Chapter 120 dealing with Edinburgh roads was repealed by 1 Will. IV c. xliii. Chapter 121 dealing with Ayr roads was repealed by statutes of 1878 and 1889. Chapter 122 dealing with Lanark roads was repealed by 4 & 5 Will. IV c. lxxii. Chapter 123 dealing with Peebles roads was repealed by 49 Geo. III c. xxxvi. Chapter 124 also dealing with Lanark roads was repealed by 54 Geo. III c. ccxv. Chapter 125 dealing with Queensferry roads was repealed by 51 Geo. III c. lxiii. Chapter 126 dealing with Suffolk roads was partly repealed by 53 Geo. III c. xxiv and the balance in 1862. Chapter 127 dealing with Durham roads was repealed by 10 Geo. IV c. xxvii. Chapter 128 dealing with Derby roads was repealed by 7 & 8 Geo. IV c. xxv. Chapter 129 dealing with Cambridge roads was partly repealed by 53 Geo. III c. lxxxix and the balance in 1876. Chapter 130 dealing with Somerset roads was repealed by 5 Geo. IV c. xcvi. Chapter 131 dealing with Leeds road was repealed by 1 & 2 Geo. IV c. v. Chapter 132 dealing with Yorkshire roads was partly repealed by 54 Geo. III c. xxxi and the balance in 1875. Chapter 133 also dealing with Yorkshire roads was repealed by 2 & 3 Will. IV c. xv. Chapter 134 dealing with Buckingham road was repealed by 51 Geo. III c. ii. Chapter 135 dealing with Yorkshire roads was partly repealed by 53 Geo. III c. xxv and the balance in 1870. Chapter 136 also dealing with Yorkshire roads was repealed by 3 & 4 Will. IV c. xciii. Chapter 137 dealing with Wiltshire roads was repealed by 38 Geo. III c. viii. Chapter 138 dealing Sussex roads was repealed by 53 Geo. III c. ccviii and 3 & 4 Will. IV c. xliv. Chapter 139 dealing with Lancaster roads was repealed by 7 & 8 Geo. IV c. lxiv. Chapter 140 dealing with Worcester roads was repealed by 58 Geo. III c. xiv. Chapter 141 dealing with Warminster roads was repealed by 55 Geo. III c. lxxxvii. Chapter 142 dealing with Collingham road was repealed by 7 Geo. IV c. xi. Chapter 143 dealing with Salop roads was partly repealed by 54 Geo. III c. xxvi and the balance in 1876. Chapter 144 dealing with Devon roads



was repealed by 3 Geo. IV cc. xcvi and cv. Chapter 145 dealing with Northumberland roads was repealed by 5 & 6 Will. IV c. xxvii. Chapter 146 dealing with Gloucester roads was repealed by 3 & 4 Will. IV c. xi. Chapter 147 dealing with Sussex roads was repealed by 59 Geo. III c. x. Chapter 149 dealing with Berwick roads was repealed by 51 Geo. III c. xl. Chapter 150 dealing with Great Farrington road was repealed by 3 & 4 Will. IV c. lxxiii. Chapter 151 dealing with Kent roads was partly repealed by 53 Geo. III c. xliii and the balance in 1869. Chapter 152 dealing with Glasgow roads was repealed by 5 Geo. IV c. cxi. Chapter 153 dealing with Gloucester roads was repealed in 1853. Chapter 154 dealing with Glasgow roads was repealed by 54 Geo. III c. ccii. Chapter 155 dealing with York roads was repealed by 3 & 4 Will. IV c. lxxxiii. Chapter 156 dealing with Carmarthen roads was partly repealed by 2 & 3 Will. IV c. cii and the balance in 1844. Chapter 157 dealing with Stafford roads was repealed in 1843. Chapter 158 dealing with Norfolk roads was repealed by 2 & 3 Will. IV c. xxi. Chapter 160 dealing with Stafford roads was partly repealed by 53 Geo. III c. cxxxv and the balance in 1877. Accordingly of the statutes of 1792, chapters 3-31, 35-42, 48-49, 51-52, 54-57, 61-65, 68, 69 so far as not already repealed, 70, 71 so far as not already repealed, 72-77, 79-81, 83-91, 93, 95, 97-104, 106-110, 111 so far as not already repealed, 114 so far as not already repealed, 117, 121, 126 so far as not already repealed, 129 and 132 so far as not already repealed, 135 so far as not already repealed, 143 so far as not already repealed, 148, 151 so far as not already repealed, 153, 156 so far as not already repealed, 157, 159 and 160 so far as not already repealed, remain to be repealed in South Australia today.

*Statutes 33 Geo. III (1793) cc. 1-185:*

Chapters 1 dealing with notes issued in France, 3 with export, 4 with aliens, 6 with marine mutiny, 7 with land tax, 9 with mutiny, 10 with trade with America, 11 with malt duties, 12 with indemnity, 17 and 18 with Exchequer bills, and 19 with militia pay, were all repealed in 1871. Chapter 2 dealing with exports, chapters 48, 70 and 81 dealing with customs, and chapter 56 with sugar, were all repealed by 6 Geo. IV c. 105. Chapter 5 dealing with debtors relief, chapter 22 with reduction of the national debt, and chapter 23 with beer, were all repealed in 1861. Chapter 8 dealing with the families of militiamen was repealed by 43 Geo. III c. 47. Chapter 13 dealing with the commencement date for Acts of Parliament is in force in South Australia: see *Glass v. The Queen 4 A.J.R. 57 and 133* where the Act was held to be in force in Victoria. The Act is clearly still in force in South Australia today but it ought to be repealed and put into the Acts Interpretation Act where one would expect to find it. It is still in force in England. Chapter 14 dealing with the Royal Exchange Assurance was repealed by 1 Edw. VII c. x. Chapters 15 and 16, 21, 24, 38, 42-44, 45-46, 80, 86-87, 90, 93-99, 101-107, 109-117, 119, 122-124, 149, 161 and 184 are local Acts. Chapter 20 dealing with Ipswich navigation was repealed by statutes of 1930 and 1934. Chapter 25 dealing with Ludlow improvement was repealed in 1860. Chapters 26 dealing with seamen, and 27 with correspondence with the enemy, were repealed in 1871. Chapters 28 and 32 dealing with the national debt were repealed in 1870. Chapter 29 dealing with Exchequer bills, chapter 30 with forgeries at the Bank of England, and chapter 33 with salt, were repealed in 1861. Chapter 31 dealing with a note issue for Liverpool, chapter 39 with the Hemlingford riots, and chapter 41 a personal Act, were repealed in 1948. Chapter 34 dealing with prize during the then war with France, chapter 35 with poor law, chapter 36 with fencible men in Scotland, chapter 37 with bread, chapter 40 with Acts continuance, chapter 49 with British sailcloth and chapter 51 which amends Chapter 29, were all repealed in 1871. Chapter 44 dealing with recusants was repealed in 1846. Chapter

47 dealing with East India Company stock was repealed in 1937. Chapter 50 dealing with imports was repealed by 3 Geo. IV c.44. Chapter 52 dealing with the East India Company was repealed in 1915. Chapter 53 dealing with pawnbrokers was determined by 36 Geo. III c.87. Chapter 54 dealing with friendly societies was repealed in 1857 and is dealt with in the Sixty-First Report of this Committee. Chapter 55 dealing with constables was repealed in 1966 and is dealt with in the Fifty-Eighth Report of this Committee. Section 3 was explicitly adopted in South Australia by 6 of 1850, which in its turn was repealed by 1479 of 1921. Chapter 57 dealing with tobacco, chapter 58 with the Southern whale fishery, and chapter 63 with imports, were repealed in 1861. Chapter 59 dealing with excise, chapter 61 with distilleries, chapter 62 with a lottery, and chapter 69 with excise, were repealed in 1871. Chapter 60 dealing with mail to Spain was repealed in 1837. Chapter 64 deals with Parliamentary elections and deals with the notice of time and place of the election. It was repealed in England by statutes from 1872 to 1918. We imagine that this Act was originally received by us in South Australia, but it would appear to us that Sections 55 and 88 of the Electoral Act cover the position, but it should not be repealed until you have had an opportunity to consider it. Chapter 65 dealing with exports was repealed by 1 & 2 Geo. IV c.87. Chapter 66 dealing with the manning of the Navy was repealed in 1864. Chapter 67 dealing with shipping offences had chapter 2 repealed by 9 Geo. IV c.31 and sections 5 and 6 repealed by 7 & 8 Geo. IV c.27, and is dealt with in the Fifty-Ninth Report of this Committee. It is referred to in the sidenote to Section 157 of the Criminal Law Consolidation Act 1935. The remainder has been repealed in England partly by statutes from 1871 to 1967 and is still partly in force. Chapter 68 dealing with Courts in Wales and Chester was repealed in 1887. Chapter 70 dealing with the customs, chapters 71 with post horse duties, 72 with appropriation, 73 with the slave trade, and 74 with creditors' rights was repealed in 1871. Chapter 75 dealing with sewerage London was repealed in 1848. Chapter 76 dealing with Courts in Newfoundland was determined by 49 Geo. III c.27. Chapter 77 a personal Act was repealed by statutes of 1871 and 1948. Chapter 78 dealing with the Duchy of Cornwall, and chapter 79 dealing with the militia, were both repealed in 1948. Chapter 82 dealing with Whitechapel improvement was repealed in 1901. Chapter 83 dealing with the Parish of St. Luke was repealed by 50 Geo. III c. cxlix. Chapter 84 dealing with small debts in the West Riding of Yorkshire was repealed in 1846. Chapter 85 dealing with the Plymouth water supply was repealed by 2 Edw. VII c. ccxxv. Chapter 88 dealing with improvement at Bethnal Green was repealed in 1901. Chapter 89 dealing with improvement at Walcot was repealed in 1851. Chapter 91 dealing with the Ellesmere Canal was repealed by 7 & 8 Geo. IV c. cii. Chapter 92 dealing with Ipswich improvement was repealed in 1837. Chapter 100 dealing with Littlehampton Harbour was repealed in 1927. Chapter 108 dealing with drainage at Whitgift was repealed in 1884. Chapter 118 dealing with Inverness roads was repealed by 48 Geo. III c. cv and 11 Geo. IV & 1 Will. IV c. lxxviii. Chapter 120 dealing with Caithness roads was repealed by 11 Geo. IV & 1 Will. IV c. cii. Chapter 121 dealing with the Selly Oak Canal was repealed in 1846. Chapter 125 dealing with the Amlwch Harbour was repealed in 1914. Chapter 126 dealing with Blything poor relief was repealed in 1948. Chapter 127 dealing with Bedford charities was repealed by 7 Geo. IV c.29. Chapter 128 dealing with Ipswich roads was partly repealed by 51 Geo. III c. cviii and the balance in 1869. Chapter 129 dealing with Wakefield roads was repealed by 9 Geo. IV c. lxxix. Chapter 130 dealing with Cambridge road was repealed by 9 Geo. IV c. xxxvi. Chapter 131 dealing with Uttoxeter road was partly repealed by 55 Geo. III c. liv and the balance in 1851. Chapter 132 dealing with Ledbury roads was repealed by 3 & 4

Will. IV c. lviii. Chapter 133 dealing with Glamorgan roads was repealed in 1844. Chapter 134 dealing with Blackburn road was repealed by 11 Geo. IV & 1 Will. IV c. lxxxv. Chapter 135 dealing with Hampton road was partly repealed by 54 Geo. III c. lix and the balance in 1860. Chapter 136 dealing with Bawtry road was partly repealed by 53 Geo. III c. xi and the balance in 1872. Chapter 137 dealing with Witney road was partly repealed by 55 Geo. III c. xxxviii and the balance in 1874. Chapter 138 dealing with Berkshire roads was partly repealed by 56 Geo. III c. lxxx and 7 & 8 Geo. IV c. lii and the balance in 1876. Chapter 139 dealing with Manchester roads was repealed by 7 Geo. IV c. xvi. Chapter 140 dealing with Yorkshire roads was repealed in 1838. Chapter 141 dealing with Stafford roads was partly repealed by 9 Geo. IV c. iv and the balance in 1852. Chapter 142 dealing with Halifax road was repealed by 5 Geo. IV c. ciii. Chapter 143 dealing with Little Bowden road was repealed by 5 & 6 Will. IV c. xix. Chapter 144 dealing with Bath roads was repealed by 50 Geo. III c. cliii. Chapter 145 dealing with Essex roads was partly repealed by 55 Geo. III c. xc and the balance in 1866. Chapter 146 dealing with Cockerton Bridge road was repealed by 5 & 6 Will. IV c. xxv. Chapter 147 dealing with Wolverhampton roads was repealed by 1 & 2 Will. IV c. xxv. Chapter 148 dealing with Durham roads was repealed in 1837. Chapter 150 dealing with Lincoln roads was repealed in 1856. Chapter 151 dealing with St. Neots road was partly repealed by 54 Geo. III c. iv and the balance in 1874. Chapter 152 dealing with Derby roads was repealed by 11 Geo. IV & 1 Will. IV c. cv. Chapter 153 dealing with Stafford roads was repealed by 4 & 5 Will. IV c. lix. Chapter 154 dealing with Brecon roads was repealed by 3 & 4 Will. IV c. lxi. Chapter 155 dealing with Wiltshire roads was repealed by 1 Will. IV c. lxvi. Chapter 156 dealing with Godmanchester road was repealed by 53 Geo. III c. lxi and 55 Geo. III c. xlix. Chapter 157 dealing with Yorkshire roads was repealed in 1855. Chapter 158 dealing with Perth roads was repealed by 51 Geo. III c. cxviii. Chapter 159 dealing with Hemingbrough road was repealed in 1857. Chapter 160 dealing with Glasgow roads was repealed by 5 & 6 Will. IV c. cix. Chapter 162 dealing with Kent roads was partly repealed by 54 Geo. III c. xxvii and the balance in 1877. Chapter 163 dealing with Huddington roads was repealed by 51 Geo. III c. cxxvii. Chapter 164 dealing with Warrington road was repealed by 53 Geo. III c. cxxxi and 3 & 4 Will. IV c. lxxiv. Chapter 165 dealing with Somerset roads was repealed in 1853. Chapter 166 dealing with Bawtry road was repealed by 2 & 3 Will. IV c. lxxiii. Chapter 167 dealing with Stafford roads was repealed in 1841. Chapter 168 dealing with Hungerford road was partly repealed by 54 Geo. III c. lxxxv and the balance in 1865. Chapter 169 dealing with Monmouth roads was repealed by 1 & 2 Will. IV c. xviii. Chapter 170 dealing with Manchester to Wilmslow road was repealed by 58 Geo. III c. xii. Chapter 171 dealing with Manchester to Buxton road was repealed by 1 & 2 Geo. IV c. xviii. Chapter 172 dealing with Salop roads was repealed by 59 Geo. III c. lxxxvi. Chapter 173 dealing with Maidstone road was repealed by 54 Geo. III c. xviii. Chapter 174 dealing with Glasgow roads was repealed by 49 Geo. III c. xxx. Chapter 175 dealing with Worcester roads was repealed by 5 Geo. IV c. xxxiii. Chapter 176 dealing with Market Harborough road was repealed by 11 Geo. IV & 1 Will. IV c. iii. Chapter 177 dealing with Heage road was repealed by 5 & 6 Will. IV c. xli. Chapter 178 dealing with Bedford roads was partly repealed by 54 Geo. III c. xvii and the balance in 1869. Chapter 179 dealing with Wakefield road was repealed by 1 Will. IV c. xxxv. Chapter 180 dealing with Bicester roads was partly repealed by 53 Geo. III c. cxxxiii and the balance in 1876. Chapter 181 dealing with Lancaster roads was repealed by 57 Geo. III c. x, 58 Geo. III c. xlii, 1 & 2 Geo. IV c. lxx, 6 Geo. IV c. xxii and 7 Geo. IV c. cxxxviii. Chapter 182 dealing with Odiham road was repealed in 1839. Chapter 183 dealing

with Kent roads was repealed by 54 Geo. III c. clxxiv. Chapter 185 dealing with Berwick roads was repealed by 55 Geo. III c. xvii. Accordingly of the statutes of 1793, chapters 1, 3-7, 9-12, 13 but only after the placing of the Act in the Acts Interpretation Act, 14-47, 49, 51-52, 57-63, 64 but only after you have considered the Act concerned, 66, 68-69, 71-75, 77-80, 82, 84-90, 92-117, 119, 121-126, 128 and 131 so far as not already repealed, 133, 135, 136, 137 and 138 each so far as not already repealed, 140, 141 and 145 each so far as not already repealed, 148-150, 151 so far as not already repealed, 157, 159, 161, 162 so far as not already repealed, 165, 167, 168 and 178 each so far as not already repealed, 180 so far as not already repealed, 182 and 184 remain to be repealed in South Australia today.

*Statutes 34 Geo. III (1794) cc. 1-143:*

Chapters 1 and 21 dealing with the national debt and 14 dealing with stamp duty, were repealed in 1870. Chapters 2 dealing with worts duty, 3 and 4 with spirit duties, 5 with trade with America, 6 with marine mutiny, 7 with malt duties, 8 with land tax, 9 with aid to the Government of France, 10 and 11 with stamp duty, 12 with promissory oaths, 13 with mutiny, 16 with militia, and 22 with fishery, were all repealed in 1871. Chapter 15 dealing with tile duty, chapter 20 dealing with paper duties and chapter 27 dealing with glass duty were repealed in 1838. Chapters 17 and 18 dealing with postage was repealed in 1837. Chapter 19, a private Act dealing with the Bank of Scotland, was repealed in 1981. Chapter 23 dealing with linen was repealed in 1842. Chapters 24, 26, 37-39, 52-53, 76-78, 86, 88, 90, 92-94, 98-99, 102, 107, 109-111, 127, 133 and 137 are local Acts. Chapter 25 dealing with the Birmingham Canal was repealed in 1840. Chapters 28 and 29 dealing with loans on Exchequer bills, 30 with militia pay, 31 with volunteer corps, 32 with stamp duty, 35 with indemnity, 36 with Acts continuance, and 40 with a lottery, were repealed in 1871. Chapters 34 dealing with exports, 50 with imports, 51 with customs, and 68 with merchant shipping, were all repealed by 6 Geo. IV c.105. Chapter 41 dealing with the East India Company was repealed in 1937. Chapter 43 dealing with enlistment, chapter 44 dealing with courts in Newfoundland, chapter 46 dealing with the County Palatine of Lancaster and chapter 49 dealing with appropriation, were all repealed in 1871. Chapter 47 dealing with the families of militiamen was repealed by 43 Geo. III c.47. Chapter 54 dealing with habeas corpus suspension, chapter 55 with tobacco duty, chapter 56 with the Navy and chapter 57 with bankrupts, were repealed in 1871. Chapter 58 dealing with the Palatine courts of Lancaster was repealed in 1925. Chapter 59 dealing with audit of public accounts, chapter 61 with the misuse of the Lord's Day by bakers in London, and chapter 62 with Exchequer bills, were all repealed in 1871. Chapter 60 dealing with the removal of convicts was repealed in 1871 and is dealt with in the Fifty-Ninth Report of this Committee. Chapter 63 dealing with tanners, and chapter 75 dealing with the Crown lands, were repealed in 1861. Chapters 64 and 74 dealing with highways were repealed by 5 & 6 Will. IV c.50. Chapter 65 dealing with Thames watermen was repealed by 7 & 8 Geo. IV c. lxxv. Chapters 66 and 67 which are personal Acts, and chapter 101 dealing with Crown lands—forfeited estates, were repealed in 1948. Chapter 69 dealing with insolvent debtors, chapter 70 with customs, chapter 71 with corn, chapter 79 with residents in France, chapter 80 with the slave trade, and chapter 82 with aliens, were all repealed in 1871. Chapter 72 dealing with stamp duty was repealed by 6 & 7 Will. IV c.76. Chapter 73 dealing with oaths of parliamentary elections was a purely local statute relating to Great Britain only and was repealed in 1872. Chapter 83 dealing with election petitions was repealed by 9 Geo. IV c.22. Chapter 84 dealing with a

convict penitentiary was repealed in 1843. Chapter 85 dealing with navigation on the River Nene was repealed in 1852. Chapter 87 dealing with the Birmingham Canal was repealed by 58 Geo. III c. xix and 5 & 6 Will. IV c. xxxiv. Chapter 89 dealing with improvements at Abingdon was repealed by 6 Geo. IV c. clxxxix. Chapter 91 dealing with beer duties at Borrowstoness was repealed in 1843. Chapter 95 dealing with the navigation of the River Trent was repealed in 1858. Chapter 96 dealing with St. Pancras improvement was repealed in 1901. Chapter 97 dealing with Staffordshire hall was repealed in 1853. Chapter 100 dealing with Forfar roads was repealed by statutes of 1878 and 1889. Chapter 103 dealing with Coventry Canal was repealed by 10 Geo. IV c. xlviii. Chapter 104 dealing with improvements at Cambridge was repealed in 1889. Chapter 105 dealing with navigation at Bridgewater was repealed in 1845. Chapter 106 dealing with improvement at Abergavenny was repealed in 1854. Chapter 108 dealing with Salt Marsh Gloucester was repealed by 55 Geo. III c.30. Chapter 112 dealing with Dover Harbour was repealed by 9 Geo. IV c. lxxi. Chapter 113 dealing with St. Albans roads was repealed by 1 & 2 Will. IV c. lxxiv. Chapter 114 dealing with Norfolk roads was repealed by 1 & 2 Geo. IV c. xiv. Chapter 115 dealing with Warwick roads was repealed by 2 & 3 Will. IV c. xxxiii. Chapter 116 also dealing with Warwick roads was partly repealed by 54 Geo. III c. xv and the balance in 1871. Chapter 117 dealing with Warwick and Stafford roads was repealed by 2 & 3 Will. IV c. lxxxiv. Chapter 118 dealing with Thirsk roads was repealed by 11 Geo. IV & 1 Will. IV c. iv. Chapter 119 dealing with Hereford roads was repealed in 1842. Chapter 120 dealing with Derby roads was repealed by 4 & 5 Will. IV c. lx. Chapter 121 dealing with Harrogate road was repealed by 54 Geo. III c. cci. Chapter 122 dealing with Salop and Hereford roads was repealed by 1 Geo. IV c. xxxiv. Chapter 123 dealing with Salop roads was repealed by 1 Geo. IV c. xxxiii. Chapter 124 dealing with Rochdale Road was repealed by 3 & 4 Will. IV c. lxxxiv. Chapter 125 dealing with Burtry Ford road was repealed by 5 Geo. IV c. xxxiv. Chapter 126 dealing with Northhampton roads was repealed in 1854. Chapter 128 dealing with Dunchurch road was repealed partly by 55 Geo. III c. xl and the balance in 1875. Chapter 129 dealing with Stirling roads was repealed by 55 Geo. III c. xxxiv and 4 & 5 Will. IV c. lxi. Chapter 130 dealing with Newcastle road was repealed by 55 Geo. III c. xxxiii. Chapter 131 dealing with Middlesex roads was repealed by 7 Geo. IV c. lxxvi. Chapter 132 dealing with Berkshire roads was partly repealed by 55 Geo. III c. xcvi and 7 Geo. IV c. lxxiii and the balance in 1876. Chapter 134 dealing with Yorkshire roads was repealed by 6 Geo. IV c. cxix. Chapter 135 dealing with Gloucester roads was repealed by 58 Geo. III c. xxx. and 59 Geo. III c. cxxiv. Chapter 136 dealing with Worcester roads was partly repealed by 56 Geo. III c. lxxvii and the balance in 1854. Chapter 138 dealing with Stirling roads was repealed by 1 & 2 Will. IV c. xxxviii. Chapter 139 dealing with Clackmannan roads was repealed in 1840. Chapter 140 dealing with Glasgow roads was repealed by statutes of 1839 and 1843. Chapter 141 dealing with Berkshire roads was partly repealed by 56 Geo. III c. xlvii and the balance in 1875. Chapter 142 dealing with Beaconsfield road was repealed by 4 Geo. IV c. cviii. Chapter 143 dealing with Cumberland roads was repealed by 11 Geo. IV & 1 Will. IV c. ix. Accordingly of the statutes of 1794, chapters 1-33, 35-46, 48-49, 52-59, 61-63, 66-67, 69-71, 72-73, 75-80, 82, 84-86, 88, 90-102, 104-107, 109-111, 116 so far as unrepealed, 119, 126-127, 128 so far as unrepealed, 132, so far as unrepealed, 133, 136 so far as unrepealed, 137, 139-140, and 141 so far as unrepealed, remain to be repealed in South Australia today.

*Statutes 35 Geo. III (1795) cc. 1-166:*

Chapters 1 dealing with malt duty, 2 and 17 with land tax, 3 with habeas corpus suspension, 4 with exports, 5, 9, 10 and 27 with the manning of the Navy, 6 with mutiny, 7 with marine mutiny, 8 with the Grand Junction Canal and 16 with the militia, were all repealed in 1871. Chapters 10-13 dealing with excise, 20 with customs, 23 with the national debt, 30 with stamp duty, 31 with smuggling, and 38 with Acts continuance, were repealed in 1861. Chapters 14 and 32 dealing with the national debt, 55 with stamp duty, 66 and 128 with the national debt, were repealed in 1870. Chapter 15 dealing with imports was determined by 42 Geo. III c.80. Chapter 18 providing a criminal court for Norfolk Island was repealed by 4 & 5 Will. IV c.65. Chapters 21 and 22 dealing with loans on Exchequer bills, 24 with aliens, 25 with Courts in Newfoundland, and 26 with trade with America, were repealed in 1871. Chapter 27 dealing with the London militia was repealed by 36 Geo. III c.92. Chapter 28 dealing with the Navy was repealed by 11 Geo. IV & 1 Will. IV c.20. Chapter 33 dealing with militia pay, chapter 34 dealing with the manning of the Navy, chapter 35 with militia allowances, chapter 36 with a lottery, chapter 37 with loans on Exchequer bills, and chapter 50 with an indemnity, were repealed in 1871. Chapter 39 dealing with customs duties and chapter 92 dealing with Southern whale fisheries, were both repealed by 6 Geo. IV c.105. Chapters 40, 43-44, 46-48, 51, 61, 70-72, 76-79, 82, 85-87, 103-105, 107-108, 126 and 131-133 are local Acts. Chapter 41 dealing with Aberdeen Harbour was repealed by 10 Geo. IV c. xxxiv. Chapter 42 dealing with Montrose beer duties and chapter 45 dealing with the paving of Finsbury Square, were repealed in 1948. Chapter 46 dealing with powder duty, and chapter 59 dealing with whisky duty, were repealed in 1861. Chapter 52 dealing with Abingdon Canal was repealed by 1 & 2 Geo. IV c. xcvi. Chapter 53 dealing with postage was repealed in 1837. Chapter 54 dealing with Mackerel fisheries, and chapter 56 dealing with British fisheries generally, were both repealed in 1868. Chapter 57 dealing with indemnity, chapter 58 with boat registry, chapter 60 with militia, chapter 62 with the post office, chapter 64 with quartering soldiers, and chapter 65 with elections in Scotland, were repealed in 1871. Chapter 67 dealing with bigamy was repealed by 9 Geo. IV c.31. Chapter 68 dealing with a patent, and chapter 69 dealing with Crown lands, were repealed in 1948. Chapter 73 dealing with improvement in the parish of St. Marylebone was repealed in 1901. Chapter 74 dealing with improvements in Kensington was repealed in 1851. Chapter 75 dealing with improvements at Wallingford was repealed in 1865. Chapter 80 dealing with shipping was repealed by 42 Geo. III c.80. Chapter 81 dealing with families of militia was repealed by 43 Geo. III c.47. Chapter 83 dealing with the artillery corps was repealed by 42 Geo. III c.90. Chapter 84 dealing with ballast in the Thames was repealed by 45 Geo. III c. xcvi. Chapter 88 dealing with insolvent debtors' discharge and chapter 90 dealing with the slave trade were repealed in 1871. Chapter 89 dealing with spirit duty, chapter 91 with hawkers, and chapter 93 with a loan to the Emperor of Germany, were repealed in 1861. Chapters 94 and 95 dealing with Navy pay were both repealed by 11 Geo. IV & 1 Will. IV c.20. Chapter 96 dealing with prisoners' relief and chapter 97 with excise, were repealed in 1861. Chapter 98 dealing with drawback, chapter 99 with recusancy, and chapter 100 with imports, and chapter 112 with powder, were repealed in 1871. Chapter 101 dealing with the poor law was repealed in 1927. Chapter 102 dealing with weights and measures was repealed in 1878. Chapter 106 dealing with Thames navigation was repealed in 1894. Chapter 109 dealing with carriage duties and chapter 110 with drawback, were both repealed in 1861. Chapter 111 dealing with friendly societies was repealed in 1855. Chapter 113 dealing with

the sale of beer was repealed in 1953, and is referred to in the side notes to our Licensing Act 1932 sections 71, 161, 254, 256 and 260. Chapter 114 dealing with glass duties was repealed in 1838. Chapter 115 dealing with imports, chapter 116 with excise, chapter 119 with distillation and chapter 120 with appropriation, were all repealed in 1871. Chapter 117 dealing with imports and chapter 118 dealing with wines, were repealed in 1861. Chapter 122 dealing with Burghs of Barony in Scotland was partly repealed in 1948 and still partly in force. Chapter 123 dealing with small debts in Scotland, chapter 124 with wool, and chapter 127 with the relief of traders in Grenada were all repealed in 1871. Chapter 125, a personal Act, was repealed in 1948. Chapter 129 dealing with the Prince of Wales and chapter 130 with the Princess of Wales were repealed in 1871. Chapter 132 dealing with Yarmouth road was repealed by 4 & 5 Will. IV c. xxix. Chapter 134 dealing with Middlesex roads was repealed by 7 Geo. IV c. cxlii. Chapter 135 dealing with Keighley road was repealed by 55 Geo. III c. li. Chapter 136 dealing with Wiltshire roads was repealed by 10 Geo. IV c. lxxxiii. Chapter 137 dealing with Oldham roads was repealed by 52 Geo. III c. lix. Chapter 138 dealing with Preston Candover road was repealed by 57 Geo. III c. xxvi. Chapter 139 dealing with Durham roads was repealed by 5 & 6 Will. IV c. xxv. Chapters 140 dealing with Gloucester roads and 141 dealing with Cirencester road, were both repealed by 6 Geo. IV c. cxliii. Chapter 142 dealing with Kensington road was repealed by 6 Geo. IV c. clvii. Chapter 143 dealing with Carnarvon roads was repealed by 1 Will. IV c. lix. Chapter 144 dealing with Lancaster roads was repealed by 7 & 8 Geo. IV c. xxviii. Chapter 145 dealing with Wigan road was repealed by 3 Geo. IV c. iii. Chapter 146 dealing with Burnley roads was repealed by 54 Geo. III c. lx. Chapter 147 dealing with poor relief in Islington was repealed by 5 Geo. IV c. cxxv. Chapter 148 dealing with Bedford road was repealed in 1852. Chapter 149 dealing with Aylesbury road was repealed by 57 Geo. III c. xvii and 6 Geo. IV c. xlv. Chapter 150 dealing with Edinburgh roads was repealed by 1 Will. IV c. xliii. Chapter 151 dealing with Keighley road was partly repealed by 59 Geo. III c. xii and the balance in 1867. Chapter 152 dealing with Stamford road was partly repealed by 57 Geo. III c. lxxvi and the balance in 1871. Chapter 153 dealing with Towcaster road was repealed in 1838. Chapter 154 dealing with Derby roads was repealed in 1851. Chapter 155 dealing with Glasgow roads was repealed by statutes of 1840 and 1843. Chapter 156 dealing with Glamorgan roads was repealed in 1844. Chapter 157 dealing with Richmond road was repealed by 57 Geo. III c. xxvii. Chapter 158 dealing with Doncaster road was repealed by 1 & 2 Will. IV c. xv. Chapter 159 dealing with Elland road was repealed by 7 & 8 Geo. IV c. lxix. Chapter 160 dealing with Rochdale road was repealed by 6 & 7 Will. IV c. viii. Chapter 161 dealing with Aberdeen roads was repealed by 39 & 40 Geo. III c. xxxii. Chapter 162 dealing with the Basingstoke to Winchester road was repealed by 57 Geo. III c. xxvi. Chapter 163 dealing with Bedford roads was repealed by statutes of 1838 and 1857. Chapter 164 dealing with Yorkshire roads was repealed by 6 Geo. IV c. xciv. Chapter 165 dealing with Kent roads was repealed by 9 Geo. IV c. xviii. Chapter 166 dealing with Spalding road was partly repealed by 57 Geo. III c. lxxix, and the balance by statutes of 1838 and 1871. Accordingly of the statutes of 1795, chapters 1-14, 16-17, 19-26, 29-38, 40, 42-51, 53-66, 68-79, 82, 85-91, 93, 96-131, 133, 148, 151 and 152 each so far as not already repealed, 153-156, 163 and 166 so far as not already repealed remain to be repealed in South Australia today.



*Statutes 36 Geo. III (1795) cc. 1-25:*

Chapters 1 dealing with malt duty, 2 with land tax, 3-5 with imports, and 6 with starch, were all repealed in 1871. Chapter 7 is the Treason Act 1795 which was made perpetual by 57 Geo. III c.6. It is partly repealed by statutes from 1848-1948 and is partly in force in England. It is partly repealed here by the Criminal Law Consolidation Act 1935 section 6. The power to do this can only be found in the fact that the English Treason Felony Act 1848 repealed those parts of the statute in England and presumably that affects the position in South Australia because, as we have said before, the law of treason must as a protection to Her Majesty go wherever Her Majesty is. There are consequential amendments to our Criminal Law Consolidation Act in sections 7-9. The whole matter is discussed in the Fifty-Ninth Report of this Committee. Chapter 8 dealing with seditious meetings was repealed in 1869 and is dealt with in the Fifty-Ninth Report of this Committee. Chapter 9 dealing with the passage of grain was repealed by statutes from 1871-1948. Chapter 10 dealing with poor relief was repealed in 1927. Chapter 11 dealing with the drainage of Lancaster Marsh was repealed in 1921. Chapter 12 dealing with the national debt was repealed in 1870. Chapters 13 dealing with excise, 14 with taxation, 18 with drawbacks, 19 with salt duty, and 22 with bread, were repealed in 1861. Chapters 15-17 inclusive dealing with horses were repealed by 44 Geo. III c.161. Chapter 20 dealing with distillation, chapter 21 with bounties, and chapter 24 with mutiny, were repealed in 1871. Chapter 23 dealing with the poor law was repealed by 4 & 5 Will. IV c.76. Chapter 25 is a local Act. Accordingly of the statutes of 36 George III for 1795, chapters 1-6, 9-14, 18-22 and 24-25 ought to be repealed in South Australia today.

*Statutes 36 Geo. III (1796) cc. 26-152:*

Chapter 26 dealing with the Royal Exchange Assurance was repealed in 1901. Chapter 27 dealing with the London Assurance was repealed in 1948. Chapter 28 dealing with marine mutiny, chapters 29 and 30 dealing with Exchequer bills, chapter 31 with loans on Exchequer bills, chapter 32 with indemnity, chapter 36 with the quartering of soldiers, chapter 37 with Courts in Newfoundland, chapter 40 with Acts continuance, and chapter 41 with militia pay, were all repealed in 1871. Chapters 33-35, 42, 44, 46-48, 50-51, 67-68, 70, 72-73, 95, 100-103, 119, 127 and 152 are local Acts. Chapter 38 dealing with the poor law was repealed by 6 Geo. IV c. cxxiii. Chapter 39 dealing with game was repealed by 39 Geo. III c.34. Chapter 43 dealing with improvements at Ramsgate was repealed in 1838. Chapter 45 dealing with improvements at Deal was repealed by 52 Geo. III c. lxxiii. Chapter 49 dealing with improvements at Folkestone was repealed in 1857. Chapter 52 dealing with legacy duty was the ancestor of our Succession Duties Act and was repealed by statutes from 1888-1975. A number of the sections have analogues in our Succession Duties Act, being sections 10, 32, 46, 48, 51-54, 56-57, 62 and 73. Notwithstanding this, we see no reason why the English statute should not be repealed in South Australia today. The relevant parts of the statute seem to have been taken over into our Succession Duties Act. Chapter 53 dealing with export, chapter 55 with free ports, and chapters 78-79 dealing with customs, were repealed in 1861. Chapters 56 dealing with bounties, 57 with indemnity, 58 with trade with America, 80 with stamps and 81 with imports, were repealed in 1871. Chapter 59 dealing with controverted elections was repealed by 9 Geo. IV c.22. Chapter 60 dealing with metal buttons was repealed by statutes from 1871-1953. Chapter 61 dealing with the coal trade in London was repealed by 47 Geo. III Sess. 2 c. lxxviii. Chapters 62-64 and 97 are private Acts. Chapter 65 dealing with the Church of St. Paul, Covent Garden was repealed by 10 Geo. IV



c. xviii. Chapter 66 dealing with a watch for Maidstone was repealed in 1866. Chapter 69, a local Act, was repealed in 1976. Chapter 71 dealing with Ellesmere Canal was repealed by 7 & 8 Geo. IV c. cii. Chapters 74 and 122 dealing with the national debt were repealed in 1870. Chapter 75 dealing with justices of the peace in London was repealed by 42 Geo. III c.76. Chapter 76 dealing with merchandise in neutral ships was repealed by 42 Geo. III c.80. Chapter 77 dealing with mackerel fishery was repealed in 1868. Chapter 82 dealing with merchandise and chapter 110 dealing with customs, were repealed by 6 Geo. IV c.105. Chapter 83 dealing with curates, chapter 84 with post horse duties, and chapter 89 with land tax, were repealed in 1871. Chapter 85 dealing with mills was repealed in 1960. Chapter 86 dealing with butter was repealed in 1844. Chapter 87 dealing with pawnbrokers was determined by 39 & 40 Geo. III c.99. Chapter 88 dealing with theft of hay and straw in London was repealed in 1968. Chapter 90 dealing with Bank of England stock was repealed by 6 Geo. IV c.74. Chapter 91 dealing with the quaintly named Million Bank was repealed in 1948. Chapter 92 dealing with the London militia was repealed by 1 Geo. IV c.100. Chapter 93 dealing with Swansea harbour was repealed in 1854. Chapter 94 dealing with Northern Bridge was repealed in 1928. Chapter 96 dealing with the Ellesmere Canal was repealed by 7 & 8 Geo. IV c. cii. Chapter 98 dealing with Great Grimsby harbour was repealed in 1845. Chapter 99 dealing with Everton drainage was repealed in 1860. Chapter 104 dealing with the lottery, chapter 106 with drawback, chapter 107 with the discovery of longitude at sea, chapter 108 with Acts continuance, chapter 109 with aliens, and chapter 112 with the registry of ships, were all repealed in 1871. Chapter 111 dealing with combinations of workmen was repealed by 6 Geo. IV c.129. Chapter 113 dealing with imports, chapter 123 with wine duties, and chapter 125 with hat duty, were repealed in 1861. Chapter 114 dealing with the families of militiamen was repealed by 43 Geo. III c.47. Chapter 115 dealing with the manning of the Navy, and chapter 116 with militia allowances, were both repealed in 1871. Chapter 117 dealing with window duties, and chapter 124 with dog licences, were repealed by 43 Geo. III c.161. Chapter 118 dealing with fish was repealed in 1868. Chapter 120 dealing with the East India Company, and chapter 126 with appropriation, were repealed in 1871. Chapter 121 dealing with Whitby Harbour was repealed by 7 & 8 Geo. IV c. lxxviii. Chapter 128 dealing with Farnborough road was repealed by 56 Geo. III c. xxxiv. Chapter 129 dealing with Wadeshill road was partly repealed by 1 & 2 Geo. IV c. xvii and the balance in 1872. Chapter 130 dealing with North Shields road was repealed by 1 & 2 Will. IV c. lxxii. Chapter 131 dealing with Dean Forest roads was partly repealed by 7 & 8 Geo. IV c. xii and the balance in 1838. Chapter 132 dealing with Kincardine roads was repealed by 57 Geo. III c. lii. Chapter 133 dealing with Coventry roads was repealed by 57 Geo. III c. iv. Chapter 134 dealing with Perth roads was repealed by 49 Geo. III c. xxxi. Chapter 135 dealing with Southampton roads was repealed by 6 Geo. IV c. lxxxvii. Chapter 136 dealing with Wearmouth road was repealed in 1839. Chapter 137 dealing with Blackburn road was repealed by 50 Geo. III c. xxxvi. Chapter 138 dealing with Leeds road was repealed in 1839. Chapter 140 dealing with Slough roads was repealed by 7 Geo. IV c. cxxxii. Chapter 141 dealing with Old Stratford road was partly repealed by 3 Geo. IV c. xci and the balance in 1875. Chapter 142 dealing with Little Yarmouth road was repealed by 2 & 3 Will. IV c. liii. Chapter 143 dealing with Crossford Bridge road was repealed by 7 & 8 Geo. IV c. xcvi. Chapter 144 dealing with Blackburn roads was repealed by 59 Geo. III c. li. Chapter 145 dealing with Altrincham roads was repealed by 1 Geo. IV c. xxv. Chapter 146 dealing with Wolverhampton roads was repealed by 10 Geo. IV c. lxxix. Chapter 147 dealing with Bale roads was partly repealed by 59 Geo. III c. xcvi and the balance in 1837.

Chapter 148 dealing with Macclesfield road was partly repealed by 57 Geo. III c. lxxxv and the balance in 1840. Chapter 149 dealing with Bolton road was repealed by 10 Geo. IV c. lxxxv. Chapter 150 dealing with Nottinghamshire roads was partly repealed by 58 Geo. III c. vii and the balance in 1873. Chapter 151 dealing with Bedford road was repealed in 1840. Accordingly of the statutes of 36 George III for 1796, chapters 26-37, 40-44, 46-53, 55-58, 60, 62-63, 66-70, 72-74, 77-81, 83-86, 88-89, 91, 93-95, 97-109, 112-113, 115-116, 118-120, 122-123, 125-127, 129 so far as unrepealed, 131 so far as unrepealed, 136, 138, 141 so far as unrepealed, 147 so far as unrepealed, 148 so far as unrepealed, 150 so far as unrepealed, and 151-152 remain to be repealed in South Australia today.

*Statutes 37 Geo. III (1796) cc. 1-27:*

Chapters 1 dealing with malt duty, 2 with land tax, 4, 5 and 24 with the manning of the Army and Navy, 6 and 23 with professional cavalry, 7 and 8 with imports, 11 with indemnity, and 12 with the carrying of merchandise in neutral ships, were all repealed in 1871. Chapters 3 and 22 dealing with the militia were repealed by 42 Geo. III c.90. Chapters 9, 10 and 20 dealing with the national debt, and 19 with stamp duties, were repealed in 1870. Chapter 13 dealing with the Dudley Canal was repealed in 1846. Chapter 14 dealing with excise, 15 with customs, 16 with coach duties, 17 with whisky duty, 18 with postage, and 26 with Navy victualling, were repealed in 1861. Chapter 21 dealing with trade with the Cape of Good Hope and chapter 27 with loans to Grenada were repealed in 1871. Chapter 25 dealing with the Tower Hamlets militia was repealed in 1921. Accordingly of the statutes of 37 George III for 1796, chapters 1-2, 4-21 and 23-27 require to be repealed in South Australia today.

*Statutes 37 Geo. III (1797) cc. 28-180:*

Chapter 28 dealing with Bank of England notes was repealed in 1861. Chapters 29-30, 43, 50, 54, 56, 58, 66, 68, 86, 88, 96, 100, 130 and 132 are local Acts. Chapter 31 dealing with the East India Company was repealed in 1872. Chapters 32 dealing with bills, 33 with mutiny, 34 with marine mutiny, and 35 with land tax, were repealed in 1871. Chapter 36 dealing with the Caldon Canal and chapter 81 dealing with the Trent and Mersey Canals were repealed by 1 Will. IV c. lv. Chapter 37 dealing with trade with the United States, chapter 38 with militia pay, chapter 39 with the manning of the Army and Navy, chapter 40 with Banks, and chapter 41 with quartering soldiers, were repealed in 1871. Chapter 42 dealing with improvements at Northampton was repealed by 54 Geo. III c. cxci. Chapter 44 dealing with improvements at Ipswich were repealed in 1837. Chapters 45 and 61 dealing with the Bank of England, chapter 60 dealing with stamp duty, and chapter 62 dealing with banks in Scotland, were repealed in 1871. Chapter 46 dealing with the national debt and with the embezzlement of bank notes was repealed in 1870 and is dealt with in the Fifty-Ninth Report of this Committee. Chapter 47 is a private Act. Chapter 48 dealing with the Tweed fisheries and chapter 53 dealing with Navy pay, were repealed by 11 Geo. IV & 1 Will. IV c. 20. Chapter 49 dealing with Eyemouth Harbour was repealed in 1839. Chapter 51 dealing with Leicester navigation was repealed in 1848. Chapter 52 dealing with Fife roads was repealed by statutes of 1878 and 1889. Chapter 55 dealing with Milbrooke Church Southampton was repealed in 1939. Chapter 57 dealing with the national debt and chapter 90 dealing with stamp duty, were both repealed in 1870. Chapter 59 dealing with a loan to the Emperor of Germany, chapter 63 with foreign ships, chapter 69 with taxes, and chapter 77 with free ports, were repealed in 1861. Chapter 64 dealing with an indemnity to Governors of West

Indian islands was repealed in 1871. Chapter 65 dealing with Middlesex county rates was repealed in 1852. Chapter 67 dealing with the drainage of Lincoln was partly repealed by 2 & 3 Will. IV c. xciv and the balance by statutes of 1838 and 1840. Chapter 70 dealing with incitement to mutiny was partly repealed by statutes from 1871 to 1967 and is partly in force. It is dealt with in the Fifty-Ninth Report of this Committee. Chapter 71 dealing with mutiny, chapter 72 with imports, chapter 74 with the East India Company, chapter 75 dealing with Tower Hamlets militia, and chapter 76 dealing with imports, were all repealed in 1871. Chapter 73 dealing with desertion of seamen was repealed by 5 & 6 Will. IV c.19. Chapter 78 dealing with pilotage at Liverpool was repealed by 5 Geo. IV c. lxxiii. Chapter 79 dealing with improvements at Stepney, chapter 80 dealing with improvements at St. Pancras, and chapter 87 dealing with improvements at Great Tower Hill, were repealed in 1901. Chapter 82 dealing with loans, chapters 83 and 84 with imports, 85 with the relief of prisoners, 92 with aliens, and 93 with an indemnity, were repealed in 1871. Chapter 89 dealing with drainage at Burnt Fen was repealed by 47 Geo. III Sess. 2 c. lxxxiii. Chapter 91 dealing with the Bank of England was determined by 59 Geo. III c.49. Chapter 94 dealing with pilchard fisheries was repealed in 1868. Chapter 95 dealing with Hampshire fisheries, chapter 97 dealing with a treaty with the United States, and chapter 99 with Acts continuance, were repealed in 1871. Chapter 98 dealing with bread in London was repealed by 55 Geo. III c. xcix. Chapter 101 dealing with Aberdeen harbour improvement was repealed by 10 Geo. IV c. xxxiv. Chapter 102 dealing with whisky duty, chapter 105 with house duties, chapter 108 with clock duties, chapter 110 with customs duties, and chapter 111 with stamp duty, were all repealed in 1861. Chapter 103 dealing with the militia, and chapter 104 dealing with the slave trade, were both repealed in 1871. Chapter 106 dealing with house duties, chapters 107 and 134 with horse duties, were repealed by 43 Geo. III c. 161. Chapter 109 dealing with the manning of the navy was repealed in 1864. Chapter 112 dealing with relief for insolvent debtors, chapter 113 with lottery, chapter 114 with loans on Exchequer bills, and chapter 116 with militia allowances, were repealed in 1871. Chapter 115 dealing with the national debt, chapter 118 with the slave trade, chapter 121 with the whale fishery, chapter 124 with bankrupts, and chapter 141 with postage, were repealed in 1861. Chapter 117 dealing with trade with India was repealed in 1848. Chapter 119 dealing with negroes, chapter 120 with the Bank of England, chapter 125 with exports, and chapter 128 with land tax, were repealed in 1871. Chapter 122 dealing with the forgery of bank notes was repealed in 1870 and is dealt with in the Fifty-Ninth Report of this Committee. Chapter 123 dealing with unlawful oaths is the Statute under which the Tolpuddle Martyrs were prosecuted. It was repealed in England by statutes from 1888-1981. Although there are strong feelings on the statute in South Australia, it is remarkable to find that it is still in force in South Australia, having been re-enacted as Section 242 of the Criminal Law Consolidation Act 1935. It is dealt with in the Fifty-Ninth Report of this Committee. It was held to be in force in Victoria in *R. v. Wood (1862) 1 W. & W. (L.) 371* where the reference is wrongly stated to be 39 Geo. III c.123. Chapter 126 dealing with counterfeiting was partly repealed by 2 & 3 Will. IV c.34 and the balance in 1861 and is dealt with in the Fifty-Ninth Report of this Committee. Chapter 127 dealing with meetings of Parliament was partly repealed by statutes of 1871-1943 and is partly in force. It deals partly with demise of the Crown and has been dealt with to that extent under that report, but partly it deals with the power to accelerate or defer a prorogation: see *May on Parliamentary Practice 17th Edition (1964) page 34*. Insofar as it deals with the latter subject it is still in force in South Australia and will need to be considered by you

as Attorney-General to decide what amendments should be made to the Constitution Act in order to incorporate those parts of Chapter 127 into the South Australian Constitution Act. Chapter 129 dealing with the water supply for Weymouth was repealed in 1855. Chapter 131 dealing with Bursledon Bridge was repealed in 1931. Chapter 133 is a personal Act and was repealed in 1948. Chapter 135 dealing with legacy duty was repealed in 1872. As we said in relation to the statute of the previous year dealing with legacy duty, it is part of the ancestry of our Succession Duties Act but it does not seem necessary to preserve this Act in South Australia as it seems to be only a machinery Act, although it is true that it amends 36 George III c.52. Chapter 136 dealing with stamp duty, was repealed in 1870. Chapter 137 dealing with Banks in Scotland, chapter 138 with parliamentary elections in Scotland, chapter 139 with provisional cavalry, chapter 140 with Naval courts martial, and chapter 144 with appropriation, was repealed in 1871. Chapter 143 dealing with weights and measures was repealed in 1878 and is dealt with in the Fifty-Ninth Report of this Committee. Chapter 145 dealing with Rochdale road was repealed by 7 & 8 Geo. IV c. lxiii. Chapter 146 dealing with Rochdale and Bury road was repealed by 3 & 4 Will. IV c. viii. Chapter 147 dealing with Norwich road was repealed by 1 Will. IV c. xxxii. Chapter 148 dealing with Farnhurst road was partly repealed by 58 Geo. III c. xxxix and the balance in 1867. Chapter 149 dealing with York road was partly repealed by 58 Geo. III c.ii and the balance in 1870. Chapter 150 dealing with Stockbridge roads was repealed in 1855. Chapter 151 dealing with Wem road was repealed in 1856. Chapter 152 dealing with Stratford roads was repealed by 58 Geo. III c. xxxiv. Chapter 153 dealing with Kirkcudbright roads was repealed by 58 Geo. III c. lxxi. Chapter 154 dealing with Devizes roads was repealed by 1 Geo. IV c. lxix. Chapter 155 dealing with Chatham roads was repealed by 52 Geo. III c. lxxxii. Chapter 156 dealing with Dover road was repealed in 1839. Chapter 157 dealing with Hulmes Chapel road was partly repealed by 1 Geo. IV c. xvii and the balance in 1872. Chapter 158 dealing with Liverpool roads was repealed by 1 & 2 Geo. IV c. xv. Chapter 159 dealing with Wakefield road was repealed by 11 Geo. IV & 1 Will. IV c. xxii. Chapter 160 dealing with Halifax road was repealed by 7 Geo. IV c. cxxvii. Chapter 161 dealing with Glasgow roads was repealed in 1839. Chapter 162 dealing with Ayr roads was repealed by statutes of 1878 and 1889. Chapter 163 dealing with the West Cowgate road was repealed by 11 Geo. IV & 1 Will. IV c. xxi. Chapter 164 dealing with Perth roads was repealed by 51 Geo. III c. cxcviii. Chapter 165 dealing with Kirkby Lonsdale road was repealed by 59 Geo. III c. xviii. Chapter 166 dealing with Clackmannan roads was repealed in 1840. Chapter 167 dealing with Wellingborough road was partly repealed by 59 Geo. III c. xix and the balance in 1871. Chapter 168 dealing with Lincoln roads was repealed in 1841. Chapter 169 dealing with Basingstoke roads was repealed by 1 & 2 Geo. IV c. xxv. Chapter 170 dealing with Adderbury road was partly repealed by 59 Geo. III c. cxxiii and the balance in 1875. Chapter 171 dealing with Kinross road was repealed by 10 Geo. IV c. xci. Chapter 172 dealing with Salop roads was partly repealed by 59 Geo. III c. 1 and the balance in 1852. Chapter 173 dealing with Bolton roads was repealed by 11 Geo. IV & 1 Will. IV c. xxx. Chapter 174 dealing with Bury roads was repealed by 11 Geo. IV & 1 Will. IV c. xxxi. Chapter 175 dealing with Frome roads was repealed by 1 & 2 Will. IV c. lxvi. Chapter 176 dealing with Leominster roads was repealed by 39 & 40 Geo. III c. lxv. Chapter 177 dealing with Newport Pagnel roads was repealed in 1839. Chapter 178 dealing with Bristol roads was repealed by 59 Geo. III c. xcvi. Chapter 179 dealing with Cambridge roads was partly repealed by 57 Geo. III c. lxxviii and the balance in 1870. Chapter 180 dealing with Fife roads was repealed by 50 Geo. III c. lxxii and 10 Geo. IV c. lxxxiv.

Accordingly of the statutes of 37 George III for 1797, chapters 28-35, 38-41, 43, 45, 47, 49-52, 59-66, 68-69, 71-72, 74-77, 79-80, 82-90, 92-97, 99-100, 102-105, 108-121, 124-125, 127 but only after you have considered it in the light of this report, 128-133, 135-142, 144, 148 and 149 each so far as not already repealed, 150, 151, 156, 157 so far as not already repealed, 161, 162, 166, 167 so far as not already repealed, 168, 170 and 172 each so far as not already repealed, 177, and 179 so far as not already repealed, remain to be repealed in South Australia today.

*Statutes 38 Geo. III (1797) cc. 1-15:*

Chapter 1 dealing with restriction on cash payments by the Bank of England was determined by 59 Geo. III c.49. Chapter 2 dealing with bank notes in Scotland, chapter 3 with imports, chapter 4 with malt duty, chapter 6 with the Army and Navy, chapter 8 with loans on Exchequer bills, chapter 9 with Acts continuance, chapter 10 with exports, chapter 11 with whisky duty, chapters 12 and 17 with the militia, chapter 14 with an indemnity, and chapter 15 with marine mutiny, were repealed in 1871. Chapter 5 dealing with land tax was partly repealed in 1963 and is partly in force. Chapter 13 dealing with the Sixtieth Regiment was repealed in 1861. Accordingly of the statutes of 38 George III for 1797, chapters 2-15 should be repealed today.

*Statutes 38 Geo. III (1798) cc. 16-94:*

Chapter 16 dealing with taxation, chapter 39 with imports, chapter 42 with excise, and chapter 43 with salt duty, were repealed in 1861. Chapters 17 and 18 dealing with the militia, and 20 with the supplementary militia, were repealed in 1871. Chapter 19 also dealing with the supplementary militia and chapter 55 dealing with the militia, were repealed by 42 Geo. III c.90. Chapter 21 a personal Act, was repealed by statutes of 1871 and 1948. Chapter 22, a personal Act, chapter 23 dealing with mutiny, chapter 24 with plate duty, chapter 25 with imports, chapter 26 with land tax, chapter 27 with defence of the Realm, chapter 28 with debts to the United Provinces, chapter 29 with exports, chapter 30 with bounty, chapter 31 with whisky duty, chapter 32 with the quartering of soldiers, chapter 35 with Acts continuance, and chapter 36 with habeas corpus suspension, were repealed in 1871. Chapter 33 dealing with quarantine, chapter 57 with whale fisheries, chapter 67 with exports of base coin to the West Indies, and chapter 86 dealing with customs, were all repealed by 6 Geo. IV c.105. Chapters 34 and 49 are local Acts. Chapter 37 dealing with the national debt was repealed in 1870. Chapter 38 dealing with prize was repealed in 1864. Chapter 40 dealing with inhabited house tax was repealed in 1871. Chapters 41 and 80 dealing with servant tax, and 93 with car duty, were repealed by 43 Geo. III c.161. Chapter 44 dealing with militia, and chapter 46 with the manning of the Navy, were repealed in 1871. Chapter 45 dealing with debts to the Swiss Government, chapter 47 with the national debt, and chapter 50 with aliens, were repealed in 1861. Chapter 48 dealing with land tax commissioners was repealed in 1963. Chapter 51 dealing with the yeomanry cavalry and chapter 59 with silver coin were repealed in 1871. Chapter 52 dealing with actions within counties was repealed in 1971. Chapter 53 dealing with armorial bearings, chapter 54 with excise, and chapter 62 with the assize of bread, were repealed in 1861. Chapters 56 and 85 dealing with stamp duty were repealed in 1870. Chapter 58 dealing with British fisheries was repealed in 1868. Chapter 60 dealing with the land tax was repealed in 1949. Chapter 61 dealing with customs, chapter 63 dealing with Isle of Man trade, and chapter 64 with militia pay, were repealed in 1871. Chapter 65 dealing with diseased sheep was repealed in 1869. Chapter 66 dealing with the militia, and chapter 70 dealing with militia allowances, were repealed in 1871. Chapter 68 dealing with duty on cinnamon was repealed

in 1871. Chapter 69 dealing with the marking of gold plate was partly repealed between 1888 to 1975 and is partly still in force. Chapter 71 dealing with copyright in busts and sculpture was repealed in 1861. We probably inherited it here but the matter is now covered by Commonwealth law. Chapter 72 dealing with indemnity to Governors in the West Indies was repealed in 1871. Chapter 73 dealing with the packing of butter was repealed in 1844. Chapter 74 dealing with the Stannaries was repealed by 42 Geo. III c.72. Chapter 75 dealing with a lottery, chapter 76 with customs, chapter 77 with aliens, and chapter 79 with residence in France in wartime, were repealed in 1871. Chapter 78 dealing with the regulation of the publication of newspapers was repealed by 6 & 7 Will. IV c.76. Chapter 81 dealing with taxation, and chapter 89 with salt duties, were repealed in 1861. Chapters 82, 83 and 84 dealing with loans on Exchequer bills were repealed in 1871. Chapter 87 dealing with the administration of estates where the administrator is out of the jurisdiction was certainly received in South Australia. It was held to be in force in Victoria but for local legislation in *In the Will of Ryan (1881) 7 V.L.R. (L.P. & M.) 38* and is dealt with in Fifty-Fourth Report of this Committee. Chapter 88 dealing with the slave trade, chapter 90 with appropriation, and chapter 91 with Exchequer bills, were all repealed in 1871. Chapter 92 dealing with whisky duty was repealed in 1861. Chapter 94 dealing with provisional cavalry was repealed in 1871. Accordingly of the statutes of 38 George III for 1798, there remain to be repealed in South Australia today chapters 16-18, 20-32, 34-40, 42-54, 56, 58-66, 68-73, 75-77, 79, 81-85, 88-92 and 94.

*Statutes 39 Geo. III (1798) cc. 1-7:*

Chapter 1 dealing with an annuity to Lord Nelson, chapter 2 with malt duties, chapter 3 with pension duties, chapter 4 with the Army, and chapter 5 with the militia, were all repealed in 1871. Chapter 6 dealing with land tax redemption was repealed by 42 Geo. III c.116. Chapter 7 dealing with the national debt was repealed in 1870. Accordingly of the statutes of 39 George III of 1798, chapters 1-5 and 7 require to be repealed in South Australia today.

*Statutes 39 Geo. III (1799) cc. 8-114:*

Chapter 8 dealing with armorial bearings, 9 with bills of exchange, 10 with bank notes in Scotland, 11 with Grenada and St. Vincent, 12 with Acts continuance, 14 with the supplementary militia, 15 with habeas corpus suspension, 16 with Courts in Newfoundland, 17 with indemnity, 18 with loans on Exchequer bills, 19 with marine mutiny, and 20 with mutiny, were all repealed in 1871. Chapters 13 and 22 dealing with income tax were repealed in 1861. Chapters 21, 40, 43 and 108 dealing with land tax redemption were repealed by 42 Geo. III c.116. Chapter 23 dealing with provisional cavalry, chapter 24 with bills of exchange, chapter 25 with bank notes in Scotland, and chapters 26-28 with exports and imports, chapters 29 and 30 with annuities, chapter 31 with whisky duty, chapter 32 with shipping, and chapter 33 with loans on Exchequer bills, were all repealed in 1871. Chapter 34 dealing with partridges was partly repealed by 1 & 2 Will. IV c.32, partly by statutes between 1871 and 1951, and is partly still in force. Chapter 35 dealing with the militia, chapter 36 with quartering soldiers, chapter 39 with stamps, chapter 41 with loans on Exchequer bills, and chapter 44 with habeas corpus suspension, were repealed in 1871. Chapter 44 was repealed again for good measure in 1978. Chapter 37, the Offences at Sea Act 1799, is in force in South Australia and is part of the foundation of the jurisdiction of the Supreme Court in this respect. It was partly repealed in England in 1967 and is partly still in force, and is dealt with in the Fifty-Ninth

Report of this Committee. Chapter 38 dealing with Acts continuance, chapter 63 with sugar duties, chapter 64 with the national debt, chapter 65 with pilchards, chapter 72 with income tax, and chapter 75 with imports, were all repealed in 1861. Chapter 45 abolishes the punishment of burning in the hand as a means of identifying offenders and the statute itself was repealed in 1861. Chapter 46 dealing with Justices of Assize, chapter 47 with bills of exchange, and chapter 48 with bank notes in Scotland, were repealed in 1871. Chapter 49 dealing with bail in criminal cases in Scotland was repealed in 1888. Chapter 50 dealing with debtors' relief, chapter 51 with transportation, chapter 52 with penitentiaries, chapter 53 with payment of creditors in Scotland, chapter 54 with tanners, chapter 57 with an indemnity to Governors of the West Indies islands, and chapter 58 a personal Act, were repealed in 1871. Chapter 55 dealing with thirlage in Scotland was partly repealed by statutes from 1871 to 1948 and is partly in force. Chapter 56 dealing with colliers was repealed by statutes of 1871 and 1948. Chapter 59 dealing with the warehousing of goods was repealed by 6 Geo. IV c.105. Chapter 60 dealing with the national debt and chapter 92 with stamp duties, were repealed in 1870. Chapter 61 dealing with customs, chapter 62 with militia, chapter 66 with sheriffs depute, chapter 67 with the Court of Exchequer, chapters 68-71 with Exchequer bills, and chapter 74 with post horse duties, were all repealed in 1871. The only one of interest from our point of view is chapter 67 which permitted any person appointed to the vacant office of the Baron of the Exchequer to take upon himself the degree of a Sergeant at law. This was the beginning of the decline of sergeants at law because the honour became automatic on the conferment of the patent of a Baron of the Exchequer, but on the other hand it reflected the increasing professionalism of the Court of Exchequer. Chapter 73 dealing with legacy duty was repealed in 1949. It deals with certain exemptions from duty in the case of books and other items for learned institutions. This matter however seems to be sufficiently dealt with by the Succession Duty Act today and we do not think any of it needs to be preserved in South Australia, even though as we have said before, the Legacy Duty Act was the ancestor of our Succession Duty Act. Chapter 76 dealing with postage was repealed in 1837. Chapter 77 dealing with salt duty and chapter 78 with whisky duty were repealed in 1871. Chapter 79 dealing with unlawful societies was repealed in England by statutes from 1869-1967 and is dealt with in the Fifty-Ninth Report of this Committee. Chapter 80 dealing with the slave trade, and chapter 83 with land tax, were repealed in 1861. Chapter 81 dealing with unlawful combinations of workmen was repealed by 39 & 40 Geo. III c.106. Chapter 82 dealing with the City of London militia was repealed by 1 Geo. IV c.100. Chapter 84 a personal Act was repealed in 1893. Chapter 85 dealing with embezzlement was repealed in 1861 and is dealt with in the Fifty-Ninth Report of this Committee. Chapter 86 dealing with spirit licences was repealed by 9 Geo. IV c.61. Chapters 87 and 88 dealing with imports, and chapter 91 with a lottery, were repealed in 1871. Chapter 89 dealing with the East India Company was repealed by 58 Geo. III c.83. Chapters 90 and 106 dealing with militia were repealed by 42 Geo. III c.90. Chapter 93 dealing with the Pretender and his sons became obsolete because the Pretender had no legitimate issue and was repealed in 1871. Chapter 94 dealing with the Master of the Mint, and chapter 107 dealing with stamp duty, were repealed in 1870. Chapters 95 and 98 dealing with imports, chapter 96 with exports, and chapter 97 with militia pay, were repealed in 1871. Chapter 99 dealing with trade to the Levant was repealed in 1861. Chapter 100 dealing with ferries was repealed by statutes of 1868 and 1948. Chapter 101 dealing with Greenland fisheries, chapter 102 with Newfoundland fisheries, chapter 103 with militia allowances, chapter 105

with gin manufacture, chapter 109 with the forces of the East India Company, chapter 112 with imports, and chapter 114 with appropriation were repealed in 1871. Chapter 110 dealing with Judges' pensions was repealed in 1925 and is dealt with in the Sixty-First Report of this Committee. Chapter 111 dealing with imports was repealed by 42 Geo. III c.7. Chapter 113 dealing with the appointment of Judges in vacation was repealed in 1871 and is dealt with in the Sixty-First Report of this Committee. Accordingly of the statutes of 39 George III for 1799, chapters 8-20, 22-33, 34 so far as unrepealed, 35-36, 38-39, 41-42, 44-58, 60-78, 80, 83-84, 87-88, 91-105, 107, 109, 112 and 114 remain to be repealed in South Australia today.

*Statutes 39 & 40 Geo. III (1799) cc. 1-14:*

Chapter 1 dealing with the militia was repealed by 42 Geo. III c.90. Chapters 2 dealing with malt duties, 3 with pension duties, 4 with loans on Exchequer bills, 5 and 6 with Exchequer bills, 7 and 8 with spirit duties, 9 with Acts continuance, 10 with land tax redemption, and 13 with loans to Grenada and St. Vincent were repealed in 1871. Chapters 11 relating to appropriation, and 12 relating to drawbacks, were repealed in 1861. Chapter 14 dealing with the meeting of Parliament is an important statute. It was amended in 1870 and 1888 and is still in force in England. It deals with the power to shorten the adjournment of Parliament and is regarded as of importance by *May: Parliamentary Practice 17th Edition (1964) pages 35 and 281*. This statute should not be repealed until you have had an opportunity of considering it and deciding what amendment ought to be made to the relevant provisions of the Constitution Act if it is to be repealed. Accordingly at present of the statutes of 39 & 40 George III for 1799, chapters 2-13 ought to be repealed at the present time.

*Statutes 39 & 40 Geo. III (1800) cc. 15-109:*

Chapters 15 dealing with militia, 16 with the Army, 17 with Acts continuance, 18 with bread, 19 with indemnity, 20 with habeas corpus suspension, and 21 with spirits, were repealed in 1871. Chapter 22 dealing with the national debt was repealed in 1870. Chapter 23 dealing with excise, chapter 26 with the national debt, and chapter 32 with powder duty, were repealed in 1861. Chapters 24 dealing with marine mutiny, 25 with starch, 27 with mutiny, 29 with bounties, and 31 with pension duty, were repealed in 1871. Chapter 28 dealing with the Bank of England was repealed in 1973. Chapter 30 dealing with land tax redemption was repealed by 42 Geo. III c. 116. Chapters 33 dealing with Exchequer bills, 34 with shipping, and 35 with imports, were repealed in 1871. Chapter 36 dealing with the transfer of stock in named joint stock companies was repealed by statutes from 1871 to 1981. Chapters 37 dealing with militia pay, 38 with saltpetre, 39 with quartering soldiers, and 40 with the poor law, were repealed in 1871. Chapter 41 dealing with ecclesiastical leases was partly repealed by statutes of 1888-1976 and is partly still in force. It is of importance in relation to the property of the Church of England in South Australia and should be repealed but with a reservation in favour of that body. Chapter 42 dealing with bills of exchange was repealed in 1882 and is dealt with in the Sixty-First Report of this Committee. Chapter 43 is a personal Act and was repealed in 1948. Chapters 44 dealing with militia allowances, 45 with glass duty, and 49 with income tax, were repealed in 1861. Chapter 46 dealing with small debts in Scotland was repealed by 6 Geo. IV c.48. Chapter 47 dealing with hackney coaches was repealed by 1 & 2 Will. IV c.22. Chapters 48 dealing with sugar duties, 52 with a lottery, and 53 with bounties, were repealed in 1871. Chapter 50 dealing with night poaching was repealed by 57 Geo. III c.90. Chapters 51, 59 and 83 dealing with the customs were repealed by 6 Geo. IV c.105. Chapter 54 dealing with Crown debtors



was repealed by statutes from 1866-1948. Section 1 which allows for interest on Crown debts should be embodied in modern legislation. It is true that Section 30c of the Supreme Court Act allows interest on debts generally but usually from the date of the writ and as the Crown may wish to claim interest from before that date under this statute its provisions should be preserved but put in a State statute such as the State Crown Proceedings Act. Chapters 55 dealing with the salaries of Scottish judges and 60 with customs were repealed in 1861. Chapter 56 dealing with entailed estates in equity was repealed by 7 Geo. IV c.45. Chapters 57 dealing with Leith Harbour and 58 with imports were repealed in 1871. Chapters 61 dealing with sugar duty, 62 with brewing, 63 with duty on kid skins, and 64 with neutral ships, were repealed in 1871. Chapter 65 also dealing with neutral ships was repealed by 42 Geo. III c.80. Chapter 66 dealing with horse hides was repealed by 5 Geo. IV c.57. Chapter 67 dealing with the Union with Ireland was amended by statutes from 1920-1978 and is still partly in force. Chapter 68 dealing with land tax, chapter 69 with repeal of duties, chapter 70 with paper duty, and chapter 71 with bread, were repealed in 1871. Chapter 72 dealing with stamp duty was repealed in 1891. Chapters 73 dealing with whisky duty, and 74 with bread, were repealed in 1861. Chapters 75 dealing with militia allowances, and 76 with an indemnity to Governors in the West Indies, were repealed in 1871. Chapter 77 dealing with collieries and mines was repealed by statutes from 1871-1948 and is dealt with in the Fifty-Ninth Report of this Committee. Chapter 78 dealing with Crown lands—forfeited estates was repealed in 1948. Chapter 79 dealing with the Government of India was repealed in 1915. Chapter 80 dealing with quarantine was repealed by 45 Geo. III c.10. Chapter 81 dealing with the hop trade was repealed in 1973. Chapter 82 dealing with duties on foreign hops was repealed in 1871. Chapter 84 dealing with stamp duty was repealed in 1870. Chapters 85 and 107 dealing with fisheries were repealed in 1868. Chapter 86 dealing with forest laws was repealed in 1971. Chapters 87 dealing with theft on the Thames and 91 dealing with exports, were repealed in 1871. Chapter 88 dealing with the Crown private Estate was partly repealed by statutes from 1862-1888 and is still partly in force. Chapter 89 dealing with embezzlement of public stores was repealed in 1875 and is dealt with in the Fifty-Ninth Report of this Committee. Chapters 90 and 106 dealing with masters and workmen were repealed by 5 Geo. IV c.96. Chapter 92 dealing with the House of Commons was repealed by 52 Geo. III c.11. Chapter 93 dealing with treason was repealed by statutes of 1967 and 1981 and is dealt with in the Fifty-Ninth Report of this Committee. Chapter 94 dealing with the trial of lunatics was repealed by statutes from 1838 to 1981 and is dealt with in the Fifty-Ninth Report of this Committee. Chapters 95 dealing with printers and 96 with income tax were repealed in 1861. Chapter 97 dealing with the London Flour Company was repealed in 1948. Chapter 98: the Thellusson Act, was repealed by statutes of 1925 and 1961. It is dealt with in Part VI of our Law of Property Act 1936 and in the Fifty-Fourth Report of this Committee. Chapter 99 dealing with pawnbrokers was repealed in 1872 and appears to be covered by our Pawnbrokers Act 1888-1975. Chapter 100 dealing with the Army, chapters 101-104 dealing with loans, and chapter 105 with the Common Pleas of the County of Lancaster, were repealed in 1871. Chapter 108 dealing with an indemnity to the Governor of Surinam was repealed in 1871. Chapter 109 dealing with Exchequer bills was repealed by statutes of 1871-1948. Accordingly of the statutes of 39 & 40 Geo. III for 1800, chapters 15-29, 31-40, 43-45, 48-49, 52-55, 57-58, 60-64, 67-76, 78-79, 81-82, 84-88, 95-97 and 99-109 remain to be repealed in South Australia today.

*Statutes 41 Geo. III (1800) cc. 1-32:*

Chapters 1 dealing with exports, 3 with corn, 4 with hop duty, 5 with Acts continuance, 6 and 7 with malt, 8 with pension duty, 9 and 12 with the poor law, 10 with bounties, 11 with imports, 14 with appropriation, and 15 with the census, were repealed in 1871. Chapter 2 dealing with exports was repealed by 6 Geo. IV c.105. Chapter 16 dealing with bread was repealed by 41 Geo. III c.2. Chapter 17 dealing with the sale of bread was repealed by 42 Geo. III c.4. Chapters 18 and 19 dealing with imports, 20 with Acts continuance, 24 with aliens, 26 with turnpike acts, and 27 with Grenada and St. Vincent traders, were all repealed in 1871. Chapters 21 dealing with salt duty, 22 with the West Indies, 23 with free ports, 25 with imports, and 30 with quarantine, were repealed in 1861. Chapter 28 dealing with land tax redemption was repealed by 42 Geo. III c.116. Chapter 29 dealing with the Army, chapter 31 with indemnity, and chapter 32 with habeas corpus suspension, were repealed in 1871. Therefore of the statutes of 41 George III for 1800, there remain to be repealed in South Australia today, chapters 1, 3-15, 18-27 and 29-32.

This ends the series of statutes of the Parliament of Great Britain.

We have the honour to be

HOWARD ZELLING  
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M. F. GRAY  
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Law Reform Committee of South Australia.

23 July 1984.