FIFTH SCHEDULE.

ACTS REPEALED.

Section and Chapter.	Title or Short Title.	Extent of Repeal.
47 Geo. 3. sess. 2. c. 25.	An Act for the more convenient payment of half pay and pensions and other allowances to officers and widows of officers, and the persons upon the Compassionate List.	So much as is unrepealed.
42 & 43 Vict. c. 32.	The Army Discipline and Regulation (Commencement) Act, 1879.	Section three, section seven, section eight, and the schedule.
42 & 43 Vict. c. 33.	The Army Discipline and Regulation Act, 1879.	The whole Act, with the exception of section one hundred and seventy-seven.
44 & 45 Vict. c. 9.	The Army Discipline and Regulation (Annual) Act, 1881.	Sections four to seven, both inclusive.
44 & 45 Vict. c. 57.	The Regulation of the Forces Act, 1881.	Part II., with the exception of so much of sections thirty-eight and thirty-nine as relates to the auxiliary forces, and of section forty-five. In Part III. section fifty.

CHAPTER 59.

An Act for promoting the revision of the Statute Law by repealing various enactments chiefly relating to Civil Procedure or matters connected therewith, and for amending in some respects the law relating to Civil Procedure. [27th August 1881.]

WHEREAS with a view to the revision of the statute law it is expedient that various enactments (mentioned in the schedule to this Act) which chiefly relate to civil procedure or matters connected therewith, and which may be regarded as spent, or have ceased to be in force otherwise than by express and specific repeal by Parliament, or have, by lapse of time and change of circumstances, become unnecessary, or the subject-matter whereof is provided for by or under the Supreme Court of Judicature Act, 1873, and the Acts amending it, or for other reasons may properly be repealed, be now expressly and specifically repealed: 36 & 37 Vict. c. 66.

And whereas it is expedient that in some respects the law relating to civil procedure be amended:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Statute Law Revision and Civil Procedure Act, 1881. Short title.

Extent.

2. This Act does not extend to Scotland or Ireland.

Repeal of enactments in schedule.

3. The enactments described in the schedule to this Act are hereby repealed, subject to the exceptions and qualifications mentioned in this Act and in that schedule.

Savings as to repealed enactments.

4. The repeal effected by this Act shall not affect—

(*a.*) Anything done or suffered before the passing of this Act under any enactment repealed by this Act; or

(*b.*) Any jurisdiction or principle or rule of law or equity established or confirmed, or right or privilege acquired, or duty or liability imposed or incurred, or compensation secured by or under any enactment repealed by this Act; or

(*c.*) In particular, any power to issue commissions of assize, oyer and terminer, or gaol delivery, or other like commissions, or any jurisdiction or power under or incidental to any such commission, or any jurisdiction or power of the Supreme Court of Judicature in England, or of any judge thereof; or

(*d.*) Any right to any hereditary revenues of the Crown, or any charges thereon; or

(*e.*) The right of any existing officer or person to any salary, stipend, emolument, or pension; or

(*f.*) The repeal, confirmation, revival, or perpetuation by any enactment repealed by this Act of any enactment not repealed by this Act; or

(*g.*) The application or incorporation of any enactment repealed by this Act by or under any enactment not repealed by this Act; or

(*h.*) The extension to any court by Order in Council of any enactment repealed by this Act.

Abolished procedure, &c. not revived.

5. This Act shall not be deemed to revive or restore any jurisdiction, office, duty, drawback, fee, payment, franchise, liberty, custom, right, title, privilege, restriction, exemption, usage, practice, procedure, or other matter or thing not existing or in force at the passing of this Act.

Extension of powers in Judicature Acts to make rules of court. 38 & 39 Vict. c. 77.

6. The enactments relating to the making of rules of court contained in the Supreme Court of Judicature Act, 1875, and the Acts amending it, shall extend and apply to all matters with respect to which rules of procedure or general orders might have been made under any enactment repealed by this Act, and to all proceedings by or against the Crown.

SCHEDULE.

ENACTMENTS REPEALED.

This Schedule is to be read as referring to the Revised Edition of the Statutes prepared under the direction of the Statute Law Committee, in all cases of statutes included in that edition.

The chapters of the statutes (before the division into separate Acts) are described by the marginal abstracts given in that edition.

The repeal by the present Act of a part of a statute set out or referred to in terms of the translation given in that edition is to operate on the original Latin or Norman French, of which the translation is set out or referred to, as if the original itself were in like manner set out or referred to.

A description or citation of a portion of an Act is inclusive of the words, section, or other part first or last mentioned, or otherwise referred to as forming the beginning or forming the end of the portion comprised in the description or citation.

20 Hen. 3. c. 1. -	The Provisions of Merton. Chapter one. Damages to widows on a writ of dower.
52 Hen. 3. c. 3. -	The Statute of Marlborough. Chapter three. Of resisting the King's officers in replevins. Distresses for services not due.
52 Hen. 3. c. 5. -	The Statute of Marlborough. Chapter five. Confirmation of the Great Charter. Charter of the Forest.
52 Hen. 3. c. 9. -	The Statute of Marlborough. Chapter nine. Who shall do suits of Court. Suits of Court by parceners, &c. The tenant's remedy against the lord, distraining for suits not due. The lord's remedy against the tenants, withholding their due suits.
52 Hen. 3. c. 10. -	The Statute of Marlborough. Chapter ten. Exemptions from attending the sheriffs turns.
52 Hen. 3. c. 21. -	The Statute of Marlborough. Chapter twenty-one. Sheriff, upon plaint, shall make replevins.
52 Hen. 3. c. 23. - in part.	The Statute of Marlborough. Chapter twenty-three. Remedy against accountants. Farmers shall do no waste. Remedy thereon. in part; namely,— from "and it is provided" to "make their account."
3 Edw. 1. c. 19. -	The Statutes of Westminster; the First. Sheriffs, &c. receiving the King's debts shall acquit the debtor. Penalty. Tallies of payment. Shewing of summons.
13 Edw. 1. c. 2. -	The Statutes of Westminster; the Second. Chapter two. Mischiefs to lords distraining their tenants by replevins. A recordare to remove the plaint out of the county courts. Pledges to prosecute a replevin. Replevin of distress after judgement for return. Writ of second deliverance. Distress irreplevisable.
13 Edw. 1. c. 30. -	The Statutes of Westminster; the Second. Chapter thirty. Assignment of justices of nisi prius. Adjournment of assises. Inquisitions of trespass, &c. may be determined before justices of nisi prius. The writ of nisi prius. Proceedings after verdict. Assises of darrein presentment and quare impedit shall be ended in their proper counties. Justices shall have their own clerks. Special verdicts. None shall be put in juries unless summoned.
13 Edw. 1. c. 31. -	The Statutes of Westminster; the Second. Chapter thirty-one. Proceedings on bills of exceptions.
21 Edw. 1. - -	Statute of the Justices of Assise.
27 Edw. 1. - -	The Statute of Fines levied.
28 Edw. 1. c. 16. -	Articles upon the Charters. Chapter sixteen. False returns.
9 Edw. 2. stat. 2. - in part.	The Statute of Sheriffs. in part; namely,— from "and that the execution of writs" to end of Statute.
12 Edw. 2. - -	The Statute of York.
Statutes of uncertain date.	The Statutes of the Exchequer, from "And the treasurer and barons" to "the King's own debt."
1 Edw. 3. stat. 1. -	Statute the First.
2 Edw. 3. c. 2. - -	Statute made at Northampton. Chapter two. Pardons for felony. Justices of assise and gaol delivery. Oyers and terminers.
4 Edw. 3. - - - in part.	Statute made at Westminster: Except chapter seven.
14 Edw. 3. stat. 1. c. 16.	Statute the First. Chapter sixteen. Nisi prius may be granted before a justice of Common Pleas in a suit in King's Bench. Nisi prius may be granted before a justice of King's Bench in a suit in Common Pleas; or before the Chief Baron of Exchequer if a man of the law; or before justices of assise, and King's serjeants. Justices of nisi prius may give judgement in quare impedit and darrain presentment.
18 Edw. 3. stat. 3. c. 5.	Statute the Third. Chapter five. Prohibitions.
20 Edw. 3. - -	Ordinance for the Justices.
8 Ric. 2. - - -	Statute made at Westminster in the Eighth Year.
11 Ric. 2. - - -	The Statute made at Westminster in the Eleventh year.

12 Ric. 2. c. 10. - in part.	Statute made at Cambridge in the Twelfth year. Chapter ten. Six justices of the peace in each county; Quarterly sessions, &c. Wages of justices and their clerk. No steward, &c. shall be assigned. Judges, &c., need not attend the sessions regularly; in part; namely,— the words, "and that no steward of any lord shall be assigned " in any of the said Commissions."
13 Ric. 2. stat. 1. - in part.	Statute of the Thirteenth Year: Except chapter one.
7 Hen. 4. c. 3. - -	Statute of the Seventh Year. Chapter three. The rolls of estreats of issues, fines, &c., shall contain particulars of the cause of forfeiture, &c. The Statute 42 Edw. 3. c. 9., touching gathering of Green Wax, confirmed.
34 & 35 Hen. 8. c. 26 - in part.	An Act for certain Ordinances in the King's Dominions and Principality of Wales. in part; namely,— Sections five to twenty-two, twenty-nine to fifty-two, seventy-three to seventy-seven, seventy-nine, eighty-three, eighty-eight, eighty-nine, ninety-six, ninety-nine, one hundred and three, one hundred and thirteen, one hundred and fourteen, and one hundred and fifteen.
23 Eliz. c. 3. - -	An Act for the reformation of errors in fines and recoveries.
17 Chas. 2. c. 7. -	An Act for a more speedy and effectuall proceeding upon distresses and avowryes for rents.
29 Chas. 2. c. 3. - in part.	An Act for Prevention of Frauds and Perjuryes; in part; namely,—. Section ten, to "execution shall be sued," and Section seventeen.
12 & 13 Will. 3. c. 2. in part.	An Act for the further Limitation of the Crown, and better securing the rights and liberties of the Subject; in part; namely,— Section three, from "That after the said limitation shall take " effect as aforesaid, judges commissions" to "remove them."
9 Anne c. 25. - - in part.	*An Act the title whereof begins with the words,* — "An Act for rendering" — *and ends with the words* — "in corporations and boroughs"; in part; namely,— Section seven.
5 Geo. 2. c. 27. - -	An Act to explain, amend, and render more effectual an Act made in the twelfth year of the reign of His late Majesty King George the First [intituled an Act to prevent frivolous and vexatious Arrests].
11 Geo. 2. c. 19. - in part.	An Act for the more effectual securing the payment of Rents and preventing Frauds by Tenants; in part; namely,— Section twenty-three.
12 Geo. 2. c. 27. -	*An Act the title whereof begins with the words,*—An Act for explaining and amending,—*and ends with the words,*—Justice of Assize in his own country, &c.
43 Geo. 3. c. 161. - in part.	*An Act the title whereof begins with the words,*—An Act for repealing, —*and ends with the words,*—on Commission; in part; namely,— Section ten, from "and where any such dwelling-house" to end of section.
52 Geo. 3. c. 101. - in part.	An Act to provide a summary remedy in cases of abuses of trusts created for charitable purposes; in part; namely,— Section one, from "and such order shall be final and con- " clusive unless" to end of section.
1 Will. 4. c. 7. - - in part.	*An Act the title whereof begins with the words,*—An Act for the more speedy judgment,—*and ends with the words,*—in cases of bankruptcy; in part; namely,— Sections four, eight, and nine.

1 Will. 4. c. 21. - in part.	An Act to improve the proceedings in Prohibition and on Writs of Mandamus; in part; namely,— Section six.
2 & 3 Will. 4. c. 33. - in part.	An Act to effectuate the service of process issuing from the Courts of Chancery and Exchequer in England and Ireland respectively; in part; namely,— Section one, and the words "of England and," "England or," and "respectively" in Section three.
3 & 4 Will. 4. c. 42. - in part.	An Act for the further amendment of the Law and the better advancement of Justice; in part; namely,— Sections twenty-three, twenty-four, and twenty-five, except as far as those sections may be in force as regards any court other than the Supreme Court of Judicature in England.
5 Vict. c. 5. - - in part.	An Act to make further provisions for the administration of Justice; in part; namely,— In section five the words "in the form set out in the first schedule to this Act," section six, and the first schedule.
5 & 6 Vict. c. 54. - in part.	*An Act the title whereof begins with the words*,—An Act to amend,—*and ends with the words*,—time to be limited; in part; namely,— Section eighteen.
6 & 7 Vict. c. 67. - in part.	An Act to enable parties to sue out and prosecute Writs of Error in certain cases upon the proceedings on Writs of Mandamus; in part; namely,— Section one, from "and it shall be lawful," to end of section, and section two.
12 & 13 Vict. c. 96. - in part.	The Admiralty Offences Colonial Act, 1849; in part; namely,— Section five, from "and the word 'governor'" to end of section.
13 & 14 Vict. c. 35. - in part.	An Act to diminish the delay and expense of proceedings in the High Court of Chancery in England: Except sections nineteen to twenty-five.
15 & 16 Vict. c. 80. - in part.	An Act to abolish the office of Master in Ordinary of the High Court of Chancery, and to make provision for the more speedy and efficient despatch of business in the said Court; in part; namely,— In section fifteen the words "and enrolled," section twenty-one from "but subject," and sections fifty-three and fifty-six.
15 & 16 Vict. c. 86. - in part.	An Act to amend the practice and course of proceeding in the High Court of Chancery; in part; namely,— Sections one to ten, twelve to twenty-one, twenty-six to thirty, thirty-six, thirty-seven, forty-nine, fifty-one, fifty-two, and fifty-three, fifty-eight to sixty-two, and schedule.
15 & 16 Vict. c. 87. - in part.	An Act for the relief of the suitors of the High Court of Chancery; in part; namely,— Section five.
17 & 18 Vict. c. 78. - in part.	An Act to appoint persons to administer oaths, and to substitute stamps in lieu of fees, and for other purposes, in the High Court of Admiralty of England; in part; namely,— Section five.
17 & 18 Vict. c. 82. - in part.	An Act further to improve the administration of justice in the Court of Chancery of the County Palatine of Lancaster; in part; namely,— Sections two to five.
18 & 19 Vict. c. 45. -	An Act for further assimilating the practice in the County Palatine of Lancaster to that of other counties with respect to the trial of issues from the Superior Courts at Westminster.

18 & 19 Vict. c. 90. - in part.	*An Act the title whereof begins with the words*, "An Act for the payment of costs," *and ends with the words*, "Court of Exchequer;" in part; namely,— In section three the words "for the Barons of Her Majesty's Court of Exchequer in England, or any three of them, and also."
19 & 20 Vict. c. 86. -	An Act to abolish the office of Cursitor Baron of the Exchequer.
19 & 20 Vict. c. 113. - in part.	An Act to provide for taking evidence in Her Majesty's Dominions in relation to civil and commercial matters pending before foreign tribunals; in part; namely,— Section six, from "Provided" to the end of the section.
20 & 21 Vict. c. 77. - in part.	An Act to amend the law relating to probates and letters of administration in England; in part; namely,— Sections five, six, nine, twelve, twenty-five, forty, forty-one, and forty-five.
21 & 22 Vict. c. 27. - in part.	An Act to amend the course of procedure in the High Court of Chancery, the Court of Chancery in Ireland, and the Court of Chancery of the County Palatine of Lancaster; in part; namely,— Sections three, four, six, and seven.
21 & 22 Vict. c. 95. - in part.	An Act to amend the Act of the twentieth and twenty-first Victoria, chapter seventy-seven; in part; namely,— Sections one and two, section six from "and from and after," to end of section, section thirty-six, and Schedule.
22 & 23 Vict. c. 6. -	An Act to enable Serjeants, Barristers-at-Law, Attorneys, and Solicitors to practise in the High Court of Admiralty.
22 & 23 Vict. c. 21. - in part.	An Act to regulate the office of Queen's Remembrancer, and to amend the practice and procedure on the Revenue side of the Court of Exchequer; in part; namely,— Sections nine, ten, eleven, eighteen, nineteen, twenty, twenty-two, twenty-six, and twenty-seven.
22 & 23 Vict. c. 59. - in part.	Railway Companies Arbitration Act, 1859; in part; namely,— In section twenty-six the words, "and where requisite frame for the purpose."
23 & 24 Vict. c. 34. - in part.	The Petitions of Right Act, 1860; in part; namely,— Section fifteen.
23 & 24 Vict. c. 54. -	An Act to amend an Act for abolishing certain offices on the Crown side of the Court of Queen's Bench, and for regulating the Crown Office.
23 & 24 Vict. c. 127. - in part.	An Act to amend the laws relating to Attorneys, Solicitors, Proctors, and Certificated Conveyancers; in part; namely,— Section twenty-five.
24 & 25 Vict. c. 10. - in part.	The Admiralty Court Act, 1861; in part; namely,— Sections fourteen, fifteen, seventeen, nineteen, twenty, twenty-two, and thirty-two.
25 & 26 Vict. c. 42. - in part.	The Chancery Regulation Act, 1862; Except as far as it may be in force with respect to the Court of Chancery of the County Palatine of Lancaster.
25 & 26 Vict. c. 67. - in part.	The Declaration of Title Act, 1862; in part; namely,— Sections forty and forty-one, section forty-two, from "and every such" to end of section, and the words "all general rules and orders made as aforesaid including" in section forty-three.

25 & 26 Vict. c. 89. -	The Companies Act, 1862; in part; namely,— In section thirty-five, the words "if a court of common law," and the words "and a writ of error or appeal in the manner "directed by 'The Common Law Procedure Act, 1854,' shall "lie"; Section one hundred and seventy.
26 & 27 Vict. c. 122. - in part.	An Act to enable Her Majesty in Council to make alterations in the Circuits of the Judges; in part; namely,— Section three.
28 & 29 Vict. c. 104. - in part.	The Crown Suits, &c. Act, 1865; in part; namely, Sections twenty-six, twenty-eight, and thirty, section fifty-eight, from "and on such judgment" to end of section, sections sixty and sixty-two, and section sixty-three from "but general rules" to end of section.
30 & 31 Vict. c. 64. -	An Act to make further provision for the dispatch of Business in the Court of Appeal in Chancery.
30 & 31 Vict. c. 68. -	An Act to provide for the better despatch of Business in the Chambers of the Judges of the Superior Courts of Common Law.
30 & 31 Vict. c. 87. - in part.	The Court of Chancery (Officers) Act, 1867; in part; namely,— Sections four and five.
30 & 31 Vict. c. 131. - in part.	The Companies Act, 1867; in part; namely,— In section twenty, the words "one hundred and seventieth."
31 & 32 Vict. c. 11. -	An Act to amend an Act to make further provision for the despatch of Business in the Court of Appeal in Chancery.
31 & 32 Vict. c. 40. - in part.	The Partition Act, 1868; in part; namely,— Section eleven.
31 & 32 Vict. c. 54. - in part.	The Judgments Extension Act, 1868; in part; namely,— In section seven, the words "Westminster and," and "England and," and the word "respectively" wherever it occurs.
33 & 34 Vict. c. 6. -	An Act to extend the jurisdiction of the Judges of the Superior Courts of Common Law at Westminster.
39 & 40 Vict. c. 66. -	The Legal Practitioners Act, 1876.
43 & 44 Vict. c. 19. - in part.	The Taxes Management Act, 1880; in part; namely,— In section fifty-nine, subsection (2) (*b.*), the words "and all "such orders shall be final and conclusive on all parties;" in subsection (2) (*d.*) of the same section, the words "of "the High Court" after the word "orders;" subsection (2) (*e.*) of the same section; and in subsection (4) of the same section the words "therein referred to." In the third schedule, containing enactments repealed, in the entry of 43 Geo. 3. c. 161., the word "sixty;" which section sixty is hereby revived, as from its repeal in that schedule, to the extent to which it was in force at that repeal.

CHAPTER 60.

An Act to amend the Law of Newspaper Libel, and to provide for the Registration of Newspaper Proprietors.

[27th August 1881.]

WHEREAS it is expedient to amend the law affecting civil actions and criminal prosecutions for newspaper libel:

And whereas it is also expedient to provide for the registration of newspaper proprietors: