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# Australian Law Journal

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# THE AUSTRALIAN LAW JOURNAL

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**HOME GROWN LAWS IN A GLOBAL NEIGHBOURHOOD: AUSTRALIA, THE UNITED STATES AND THE REST**

**Chief Justice Robert French**

The differences between legal systems sometimes generate controversy about the use of comparative legal materials. That controversy however, should be viewed in the larger context of the interactions between laws past and present, the subsistence of different legal traditions within the same country, the existence of shared legal histories between different countries, the existence of national laws dealing with subject matter that has become international because of global trade and commerce, and the migration of legal and constitutional ideas from one country to another. This lecture, delivered at the Alabama School of Law, reviews the varieties of trans-national legal interactions and suggests that the problem presented by the use of comparative materials is one of practical judgment rather than fundamental principle. ....

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**Anthony Dickey**

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**COMPULSORY ACQUISITIONS DURING THE AUSTRALIAN COLONIAL PERIOD**

**Duane L Ostler**

Acquisition law during the Australian colonial period was far more robust than many might think. All of the Australian colonies enacted acquisitions legislation during this time, usually adapting the Land Clauses Consolidation Act 1845 (UK). The Australian colonies modified their acquisitions Acts, tailoring them to their own needs. Unlike the Americans, however, none of the Australian States inserted acquisition language in their Constitutions. There were many acquisition cases in the Australian colonies during the 1900s. The earliest cases usually dealt with Crown grants and reservations. Later cases described acquisitions law in respect to mill dams and flooding of property, as well as harm to property from the raising of roads or railways. However, the largest number of acquisition cases dealt with the calculation of compensation. In reviewing acquisition cases, courts usually were quite strict in following the applicable Acts. ....

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