

State Governments, leading public men, Government officials, merchants, traders, agriculturists, representatives of labour organizations, and others.

They endeavoured to get the evidence of persons favourable to the federation of New Zealand with the Commonwealth of Australia, as well as of those opposed to such federation, so that the views and arguments held on both sides of the question might be laid before Parliament.

They found that the question had been but little considered by the people of New Zealand. The Commonwealth Constitution Act had not even been read by many of those who attended before your Commissioners, and its provisions, generally speaking, were imperfectly understood by many of those who professed to have considered the subject of federation somewhat attentively.

Federation with the Commonwealth of Australia has been considered by your Commissioners from the standpoints of how it would affect,—

- I. Legislative independence ;
- II. Public finance ;
- III. Defence ;
- IV. Postal and telegraphic services ;
- V. Administration of justice ;
- VI. Imperial relations ;
- VII. Federal departmental administration ;
- VIII. Agricultural, commercial, and industrial interests ;
- IX. The social condition of the working-classes ; and
- X. The question of coloured labour.

I. LEGISLATIVE INDEPENDENCE.

Having regard to the thirty-nine important subjects upon which the Federal Parliament has express power to legislate, under section 51 of the Commonwealth Act, and to the fact that one of those thirty-nine subjects—viz., the thirty-sixth—gives authority to legislate upon matters in respect of which “the Constitution makes provision until the Parliament otherwise provides,” and also that the powers of Parliament under the said section 51 are expressed in bare and general terms, it is difficult to say exactly what are the limits of legislation by the Federal Parliament under the Constitution. For instance, the Parliament has power to legislate, so far as the Commonwealth is concerned, with respect to “trade and commerce with other countries and among the States.” “Trade” and “commerce” are very comprehensive terms, and this power would probably be held to authorise the Parliament to pass laws relating to shipping and seamen, having general operation throughout the Commonwealth.

Again, the legislative powers of the Parliament upon another subject are expressed in section 51, (2), by the single word “Taxation,” the only limit being that any such legislation shall not discriminate between States or parts of States. A law passed by the Federal Parliament dealing with “Taxation” might seriously interfere with the power of a State Parliament to pass a law imposing taxation within the limits of the State.

It is also to be noticed that the general power given by section 51, (27), to Parliament to legislate for the Commonwealth under the words “Immigration and emigration” would enable it to pass laws which might seriously interfere with the powers of a State Parliament in respect of such matters.

The Federal Parliament has exclusive power to legislate in respect of,—

- (1.) The imposition of duties of Customs and excise ;
- (2.) Postal, telegraphic, telephonic, and other like services ;
- (3.) Defence ; -
- (4.) Lighthouses, lightships, beacons, and buoys ;

and, according to the evidence before your Commissioners, it seems probable that the Parliament will, before long, and with the consent of the States, assume the control of railways.