

with other countries, and among the States ; to make laws with respect to bankruptcy, marriage, divorce, old age pensions, insurance copyrights, inventions, etc. ; to coin money, and fix the standard of weights and measures ; to control postal and the like services ; to provide for the service and execution throughout the Commonwealth of the civil and criminal processes of any State, and the recognition of its laws ; to deal with immigration and emigration, and the influx of criminals ; to establish courts of conciliation and arbitration for the prevention and settlement of industrial disputes extending beyond the limits of any one State ; and to legislate on other matters, as set forth in the Bill, for the peace, order and good government of the Commonwealth.

*The Executive Government.*—The executive power is vested in seven ministers who must be members of either the Senate or the House of Representatives. It has been urged that responsible government is incompatible with federation, but the framers of the Bill seem wisely to have thought that the principle of the responsibility of the Government would be a guarantee of the liberalism of the constitution, and in that opinion rejected the referendum as unnecessary under the form of government chosen.

*The Judicature.*—The judicial power of the Commonwealth is vested in a Supreme Court to be called the High Court of Australia, and in such other Courts as the Parliament may, from time to time, create or invest with federal jurisdiction. The High Court will have jurisdiction in all matters of law and equity arising under the constitution, laws, and treaties of the Commonwealth, and an appellate jurisdiction from the Supreme Court of any State, and from it there will be a limited right of appeal to the Privy Council.

As the highest Court of the Commonwealth it will be formed of honorable and able men. It will be its duty to preserve the popular liberty, and to prevent the Commonwealth dominating or infringing upon the rights of the States, or the States usurping the functions of the Commonwealth.

*Finance and Trade.*—The large powers given to the Commonwealth for the control of trade and commerce will not come into full force and effect until the imposition of uniform federal customs duties, which must be imposed within two years of the establishment of the Commonwealth ; and upon the imposition of uniform duties of customs, trade and intercourse between the States will become absolutely free.

All customs duties will be collected by the Commonwealth from the outset, but until uniform duties are imposed, each State will receive back the customs and excise revenue actually collected therein, less its proportionate share of the federal expenditure. The same system will be pursued for five years after the adoption of a uniform tariff, except that accounts will be kept between the States instead of duties being collected at the border. At the end of the five years period, Parliament may provide for the distribution of the surplus revenue among the States on such basis as it deems fair.

During a period of ten years after the establishment of the Commonwealth, three-fourths, at least, of the net revenue from customs and excise must be returned to the States, or applied to the payment of interest on State debts. This clause of the Bill, known as the "Braddon Blot," has provoked much hostile criticism in New South Wales, but it has much to commend it, inasmuch as it conserves to each State a great part of its revenue.

The Commonwealth is prohibited from giving to any State or part of one State, by any law of trade commerce or revenue, a preference over any other State or part thereof. During the first ten years, however, and thereafter in the discretion of Parliament, financial assistance may be granted to any State.

The Bill provides for the creation of an Interstate Commission for the execution and maintenance within the Commonwealth of the provisions of the Constitution relating to trade and commerce, and of all laws made thereunder.