

by the General Assembly, be null and void."

There was therefore in the New Zealand Constitution Act a clear and express provision that in all matters the legislative power of the central legislature was supreme. Reading sections 51 and 52 of the Commonwealth Bill it would appear that the legislative powers of the Parliament of the Commonwealth were limited to forty-two subjects. The only doubt that may arise as to the relative power of the Central Parliament and the States Parliaments is created by section 109. It says, "Where a law of a state is inconsistent with a law of the Commonwealth, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid." I presume this will be read as meaning "a law of a State" in regard to any of the forty-three subjects, of which exclusive legislative power is given to the Parliament of the Commonwealth. To read it otherwise would reduce the State laws to mere municipal bye-laws, and there would have been no need to enumerate forty-three subjects mentioned in the Act as belonging exclusively to the Central Commonwealth Parliament.

The subjects on which the Central Parliament can legislate are:—“(i.) Trade and Commerce with other countries and among the States; (ii.) Taxation (this includes Customs and Excise, but so as not to discriminate between States and parts of States); (iii.) Bounties on the production or export of food, but so that such bounties shall be uniform throughout the Commonwealth; (iv.) Borrowing money on the public credit by the Commonwealth; (v.) Postal telegraphic, telephonic and other like services; (vi.) The naval and military defence of the Commonwealth and of the several States, and the control of the forces to execute and maintain the laws of the Commonwealth; (vii.) Lighthouses, light-ships, beacons and buoys; (viii.) Astronomical and meteorological observations; (ix.) Quarantine; (x.) Fisheries in Australian waters beyond territorial limits; (xi.) Census and Statistics; (xii.) Currency, coinage and legal tender; (xiii.) Banking, other than State

Banking, also State Banking extending beyond the limits of the State concerned, the Corporation of Banks and the issue of paper money; (xiv.) Insurance, other than State Insurance extending beyond the limits of the State concerned; (xv.) Weights and Measures; (xvi.) Bills of Exchange and Promissory Notes; (xvii.) Bankruptcy and Insolvency; (xviii.) Copyrights, Patent of Inventions and Designs and Trademarks; (xix.) Naturalization and Aliens; (xx.) Foreign Corporations and Trading or Financial Corporations formed within the limits of the Commonwealth; (xxi.) Marriage; (xxii.) Divorce and matrimonial causes, and in relation thereto, parental rights and the custody and guardianship of infants; (xxiii.) Invalid and Old Age Pensions; (xxiv.) The Service and execution throughout the Commonwealth of the civil and criminal process and the judgments of the Courts of the States; (xxv.) The recognition throughout the Commonwealth of the Law, the Public Acts and Records, and the judicial proceedings of the States; (xxvi.) The people of any race other than the Aboriginal race in any State, for whom it is deemed necessary to make special laws; (xxvii.) Immigration and emigration; (xxviii.) The influx of criminals; (xxix.) External affairs; (xxx.) The relations of the Commonwealth with the Islands of the Pacific; (xxxi.) The acquisition of property on just terms from any State or person for any purpose in respect of which the Parliament had power to make laws; (xxxii.) The control of railways with respect to transport for the naval and military purposes of the Commonwealth; (xxxiii.) The acquisition with the consent of a State of any railways of the State on terms arranged between the Commonwealth and the State; (xxxiv.) Railway construction and extension in any State with the consent of that State; (xxxv.) Conciliation and Arbitration for the preservation and settlement of industrial disputes extending beyond the limits of any State; (xxxvi.) Matters in respect of which this Constitution makes provision until the Parliament