otherwise provides; (xxxvii.) Matters referred to the Parliament of the Commonwealth by the Parliament or Parliaments of any State or States, but so that the law shall extend only to States by whose Parliaments the matter is referred, or which afterwards adopt the law; (xxxviii.) The exercise within the Commonwealth at the request, or with the concurrence of the Parliaments of all the States directly concerned, of any powers which can at the establishment of this Constitution be exercised only by the Parliament of the United Kingdom, or by the Federal Council of Australasia; (xxxix.) Matters incidental to the execution of any powers vested by this Constitution in the Parliament, or in either House thereof, or in the government of the Commonwealth, or in the Federal judicature, or in any department or office of the Commonwealth.

In the 52nd section there are three additional powers granted, viz., with respect to, (i.) The seat of government of the Commonwealth and all places acquired by the Commonwealth for public purposes; (ii.) Matters relating to any department of the public service, the control of which is by this Constitution transferred to the Executive Government of the Commonwealth; (iii.) Other matters declared by this Constitution to be within the exclusive powers of the Parliament. Section 120, after providing that the State shall make provision for the detention in its prisons of accused and convicted persons against the laws of the Commonwealth, adds, "and the Parliament of the Commonwealth may make laws to give effect to this provision."

Subject, however, to the matters mentioned, the present legislative powers of the States in the colonies are left intact. They can, for example, legislate as to Crimes, as to Land holding, as to Lunacy, as to Transfer of land, as to Agriculture, as to Prisons, as to Police, as to Public Banks, as to Mining, as to their own Local Government, as to Education, etc., etc. Perhaps a better way of obtaining an idea of the legislative powers left to a State, would be to take the Acts passed by the New Zealand

Parliament last year, and see what Acts our Legislature could not have passed if it had been one of the states of the Australian Commonwealth. Sixty-four Acts were passed in 1899 by the Parliament of New Zealand; of the sixty-four statutes, thirty-three were general, twenty-eight local and personal, and three private. Of the general Acts, only three dealt with any Acts that would come under the powers of the Federal Parliament, namely, Immigration Restriction, Pacific Cable Authorization, and Shipping and Seaman's. All the other legislative work of the New Zealand Parliament would not have been affected by its being a State of the Australian Commonwealth. In case it might be said that 1899 was exceptional, 1898 may be taken, and there were only four Acts that would have been necessary to have been enacted by the Parliament of the Commonwealth, namely, the Divorce, Industrial Conciliation, and Old Age Pensions Acts, and the Bank New Act, as the Bank of New Zealand carried on business beyond New Zealand. And in 1898 the New Zealand Legislature passed forty-two General Acts, twenty-six Local and Personal Acts, and two Private Acts. In 1897 only one Act, the Patents Designs and Tradesmarks Act Amendment Act would have been required to be enacted by the Commonwealth. The States therefore will surrender very little of their legislative powers.

The matters in which there may arise friction between those who will side with the States—Provincialists we might call them—and those who look to the maintenance of a Unitary rather than a Federal Government—Centralists—we used to call them—are perhaps those of Trade and Commerce, Taxation, and Bounties on the production of goods. It does not appear that on the other matters left to the Federal Parliament there can arise much conflict—that is, assuming my suggested interpretation of section 109 is correct. If I am right, the Commonwealth Bill will be a truly Federal Constitution, for it will leave the States sovereign, save where their powers and