rights are invaded by the Commonwealth Act. (See art. 1 chap. 1 Swiss Constitution). The essential features of a Federal Constitution, as distinguished from a Unitary Government, are stated by Professor Dicey in his "Introduction to the Study of the Constitution," and condensed by Professor Jenks as follows:—

(A) A written supreme Constitution in order to prevent disputes between the jurisdictions of its Federal and State authorities.

(B) A distribution of powers between the Central or Federal Government and the Governments of the several States which comprise the Union, and probably also among the various parts of the Federal Government.

(C) A Supreme Court charged with the duty of interpreting the Constitution, and enforcing obedience to it by the organs both of the Federal and States Governments, and absolutely free from the influence of both.

The Commonwealth Bill carries out the idea of what a Federal Constitution should be. There is no express power given to the High Court to set aside laws of the Parliament of the Commonwealth as being unconstitutional, but it may be assumed that such power is implied. In this connection, however, it should not be overlooked that some colonial judges have held that the Courts of a colony have no power to say that a colonial statute is unconstitutional. A written Constitution should have made this power plain.

The struggle between the States Rights and Central Parties will come in later years. The Centralists will strive to have the powers and functions of the Commonwealth enlarged, whilst the States Rights Party will fight for the maintenance of the privileges of the States. As we must apparently have parties under any system of government, it may not be a cause of regret that this question shall divide political combatants. The struggle may probably arise over alterations of the Constitution. Before any alterations can be made the proposed alteration must pass both Houses by an absolute majority of each House, then not less than two, nor more than six months thereafter, it must be submitted to a Referendum of the electors of each State, and before it can be passed there must be (*a*) a majority of the States, and (*b*) a majority of the total electors in all the States approving of it. This is, no doubt, a great safeguard, though some Federalists would not have desired to see a mere majority alter the Federal Constitution. In the United States, State Rights are better conserved. Article V. of the Constitution provides for amendments in it as follows:—

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or on the application of the Legislatures of the several States, shall call a Convention for proposing amendments which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when satisfied by the Legislatures of three-fourths thereof, or the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand nine hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article, and that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

The Commonwealth Act conforms to the Swiss Constitution. Article 121, of that Constitution, says: "The Amended Federal Constitution shall be in force when it has been adopted by the majority of Swiss citizens who take part in the vote thereon, and of a majority of the States."

The Senate is to consist of six Senators from each State, and if the number is increased, the equal representation of the "several original States" shall be maintained. Original States mean such States "as are part of the Commonwealth at its establishment." It would seem, therefore, that if New Zealand joined the Commonwealth at some future time, she would not be an original State, nor would she be entitled to the advantage of the provision regarding Senators.