

autonomy. This final stage is, moreover, associated with a more extended power of self-government and a freedom of constitution making and revision not possessed by the colonies under the simpler provincial form.

The history of the several Australian colonies, well illustrates the process of transition from autocracy to autonomy. Not all the colonies passed through each of the successive stages of this political evolution, but they each and all in a shorter or longer period of constitutional fruition exemplified the rapid development of liberal principles of government into a full measure of colonial independence and of democratic administration.

The first constitution of Australia, in accordance with the precedent of the Quebec Act, was statutory in character.¹ The practice had been quite otherwise in the establishment of the early American colonies, the erection of which had been looked upon as a prerogative of the sovereign, and which in consequence obtained their constitutions, either in the form of royal charters, or by proclamations of the Crown.² But the triumph of Whig principles at the English revolution, effected a change in the relation of the colonies to the British parliament. Henceforth, by virtue of their constitutional sovereignty, the Houses at Westminster assumed and exercised a legislative, and, through the Colonial Office, an administrative supervision over colonial affairs. On its legislative side, this parliamentary pre-eminence was displayed in the formation of colonial constitutions, by imperial enactment; on its administrative side, we witness the rapid growth in importance and responsibility of the office of Colonial Secretary. All the Australian constitutions have had a similar origin; they are either directly or indirectly the product of imperial legislation, enacted by parliament either on its own initiative or at the instance of the colonies themselves. Whatever may be the claim of these instruments of government to popular support and obedience, by reason of their local, conventional or parliamentary source, or their popular sanction,³ yet, both in law and in fact, they owe their constitutional validity to an act of the British parliament.

The history of Australia would seem to lend some weight

¹The Quebec Act of 1774 is the first colonial parliamentary constitution. Bourinot, *Const. Hist. of Canada*, p. 12.

²Report of the Committee of the Privy Council, May 1, 1849. Grey (Earl), *Colonial Policy of Lord J. Russell's Administration*, vol. 2, app. A.

³e.g., *The Commonwealth Act of Australia*.