

looking to the establishment of a general system of civil government and to the future development of the colony through free settlement, yet the government erected thereunder was in reality that of a military Crown colony,¹ in which the power of the Governor was practically uncontrolled by any authority within the colony, and virtually unrestrained by the home officials, on account of their remoteness and their ignorance of local conditions.

Speaking somewhat generally, the British colonial system may be said to reveal four distinct stages of colonial development. The first is that of a military or civil autocracy in the hands of a purely despotic intendant,² such as we have just seen was established in New South Wales. The second stage is attained upon the grant of a Legislative Council, usually a nominated body endowed with a limited legislative competency and designed to serve in an advisory capacity to the Governor. In this Council, may be occasionally found the beginning of popular representative institutions in the presence of a few elected members to act as an offset to the crown officials. This latter type, in process of time, with the growth of population, and the spread of political ideas, usually develops into the higher form of representative government. The transition from the so-called Crown colony type to the more progressive representative form, is generally marked by the entire elimination of the nominee element from the Legislative Council, a process usually accompanied by the organization of a bi-cameral parliament. The political result of this evolution, is the disappearance of the direct interference of officialdom in matters of legislation. But the full measure of constitutional liberty is not attained until popular control over legislation is supplemented by a similar control over the executive, until, in a word, the system of responsible government, such as exists in the British parliament, is secured. Then alone is the complete autonomy of the colony assured, and it enters upon the full rights and privileges of statehood. Recent constitutional developments in Canada and Australia,³ reveal a still further evolution in colonial constitutionalism, namely, the appearance of the federal type of government, destined to be superimposed upon the system of provincial

¹Jenks, *The Government of Victoria*, p. 11.

²*Ibid.*, p. 11.

³The Customs Union of the South African colonies appears to be a step towards the formation of a political union in that group.