

Federated Australia.

THE HON. SIR JOHN A. COCKBURN, M.D., K.C.M.G.
(IN LONDON GRAPHIC.)

to depart no more from British traditions than the necessities of the case demanded, and this experiment in federal machinery has been accompanied and facilitated by a limitation of the powers of the senate in respect of money bills and by the provision for the settlement of any deadlocks which may take place between the two houses. The senate is to be composed of six members from each state, thirty-six in all, elected for a period of six years, half



RIGHT HON. EDMUND BARTON, FIRST PREMIER OF THE AUSTRALIAN COMMONWEALTH.

retiring every three years. The senators, as well as the members of the house of representatives, are to be chosen by the electors of the popular franchise in each of the states. This means practically manhood suffrage. In South Australia and in Western Australia women are admitted to the franchise on an equal footing with men. No elector is to have more than one vote. The number of members of the house of representatives is to be maintained as nearly as practicable at twice that of the senators. The house of representatives will consist of seventy-five members, of which number New South Wales is to have twenty-six, Victoria twenty-three, Queensland nine, South Australia seven, Western Australia five, Tasmania five. Every house of representatives is to continue for three years from its first meeting, but is subject to dissolution by the Governor-General.

The relative functions to be performed by the two houses are in accordance with the well-recognized federal principle. The house of representatives is to represent the Australian people at large, while upon the senate is conferred the dignity of representing the states as distinct entities. The senate is, therefore, to be regarded as the guardian of state rights, and, owing to the equal representation of each state within its walls, the senators for the smaller states will have the opportunity of resisting any inequalities to which they may be subjected owing to the paucity of their representation in the house of representatives. This equality of representation in the senate was first advanced by the fathers of the American constitution as a means of inducing the smaller states to enter the union. It has been adopted also in Switzerland, and may be regarded as an established characteristic of a true federal form of government.

There is no analogy between the senate and the ordinary type of second chamber. Chosen by the same electors, under the widest franchise, with a payment to the members of both houses of £400 a year, neither the senate nor the house of representatives can be regarded as likely to become a Conservative chamber, although each will act as a house of revision towards the proposals of the other.

For the purpose of election of the house of representatives most of the states will be divided into districts, but the senators will be elected by each state voting as one district. Two consecutive months' absence without leave will con-

sider the seat of a member vacant in either house. As qualifications, members of both houses are to be twenty-one years of age, at least three years resident in the commonwealth, and subjects of the Queen, either natural born or naturalized for five years. The disqualifications are: foreign allegiance or citizenship, attainer of treason, discharged bankruptcy, an office of profit or indirect pecuniary interest in any agreement with the public service, otherwise than as a

which it originated and recommended amendments. Any act may be disallowed by the Queen within one year from the Governor-General's assent, and no act reserved for the Queen's pleasure shall come into force unless within two years it receives Royal assent. One of the great objects of the federation is to secure inter-colonial free trade, and the departments of customs and excise, together with all their officers, will be taken over by the commonwealth immediately on its establishment. The customs revenue amounts to about £800,000,000, and as a check on federal expenditure and to prevent any embarrassment to the states from the withdrawal of so large a proportion of their revenue, it is provided that, for a period of at least ten years, three-quarters of the net revenue shall be refunded or credited to the states. A uniform law must be framed by the commonwealth within two years.

The Federal government may, in the interest of freedom of trade, regulate navigation and shipping, and may forbid any preferential or discriminating railway rate which is adjudged to be appointed by the Federal authority for the purpose of securing absolute freedom of inter-colonial trade.

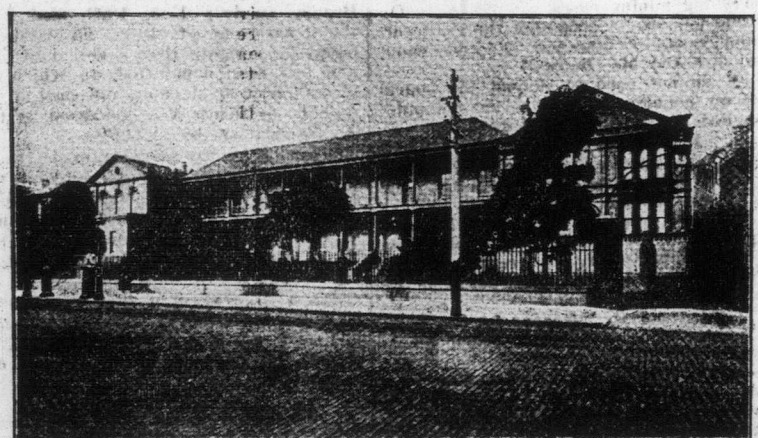
The following departments will be taken over by the commonwealth on date of its proclamation: Posts, telegrams, and telephones, naval and military defence, lighthouses, lightships, beacons and buoys and quarantine. The commonwealth parliament will have some powers which are at present beyond the province of any of the governments of the several colonies, and whose exercise will lead to an increase of Australian autonomy, such as the regulations of the commonwealth with the islands of the Pacific and fisheries in Australian waters beyond territorial limits.

The relations with the outside world will be matters of Federal concern, so that, seen from the outside, Australia will appear to be under one government, the internal divisions being, from that point of view, hardly visible. On the other hand, the state governments will appear to those within to be of more importance, and will loom larger than the more remote Federal authorities, just as it is the walls of a house which are visible to those without, while the partitions which form the rooms are to the inmates the more prominent features. All external affairs, therefore, will fall under the cognizance of the commonwealth, including such subjects as immigration, naturalization and aliens and foreign corporations.

The commonwealth will also deal with matters of general concern in which uniformity is desirable, including currency, coinage and legal tender, census and statistics, astronomical and meteorological observations, weights and measures, bills of exchange, bankruptcy, copyright, marriage and divorce.

The commonwealth is empowered to take over from the states the public debts or a proportion thereof, but this question will require to be considered in conjunction with the transfer also of the assets which form the security for those liabilities. These consist mainly of the railways, which in Australia are the property of the states, and which the commonwealth is empowered to acquire, with the consent of the states, on terms to be arranged.

There is also provision for the reference to the commonwealth by the states of any matters other than those enumerated, but any legislation in such matters



PARLIAMENT HOUSE, SYDNEY.

again passes the bill and the senate again rejects it, the Governor-General may convene a joint meeting of both houses, and at this meeting an absolute majority of the total number of the members can carry the bill.

All bills passed by the parliament are presented to the Governor-General, who, on behalf of the Queen, may assent to the bill or withhold assent, or may reserve it for the Queen's pleasure, or he may return the bill to the house from

age pensions, and banking and insurance. Some of the above enumerated powers, such as postal service, coinage and customs, constitute what are known as exclusive powers, and when taken over by the commonwealth are, ipso facto, removed entirely from the jurisdiction of the states, but in many cases the powers are concurrent and are capable of exercise both by the commonwealth and the states. The powers of the Federal authority are strictly limited to the subjects enumerated in the act. All powers not explicitly mentioned are reserved to the states whose parliaments will continue to deal with such subjects as lands, agriculture, mining, local government, police, education, and generally all matters of internal government, which constitute about fourteen-fifths of the work at present performed by the colonial legislatures.

The state laws will be consented to or vetoed, by the state governors, who will continue, as heretofore, to be the direct representatives of the Queen, and will be taken over by the commonwealth immediately on its establishment. The state revenue amounts to about £800,000,000, and as a check on federal expenditure and to prevent any embarrassment to the states from the withdrawal of so large a proportion of their revenue, it is provided that, for a period of at least ten years, three-quarters of the net revenue shall be refunded or credited to the states. A uniform law must be framed by the commonwealth within two years.

Within their respective spheres both commonwealth and state laws are supreme, but if either commonwealth or state act steps beyond its allotted boundary, or if a state law conflicts with a Federal law, it is of no effect.

It is, therefore, necessary that in a federation there should be an arbiter always available to pronounce on the validity or otherwise of state or commonwealth legislation. Such an umpire is provided by the High Court of Australia, which is to consist of a Chief Justice and at least two other judges.

However skilfully an instrument of government such as the commonwealth act may be drawn up it is impossible to make provisions for unforeseen conditions and the light of the future must invariably bring into prominence obscurities and doubtful points which at the time were little regarded or altogether overlooked. The unfolding and development of such latent features, together with the carrying of well-defined analogies into ambiguous cases, from a work second only in importance to that of framing the constitution in the first instance, and demand interpreters who are cognizant of and saturated with the genius of the constitution, and are fully informed as to the spirit and intention which animate its provisions. That this is the case is abundantly proved by the history of the United States constitution, of which Chief Justice Marshall is held to have the honor of being the second author.

The question as to who the umpire should be, and whether he was to be sta-

to trial by jury is incorporated in the constitution. The Supreme courts of the states will continue to exist as at present, and there will be no diminution of their jurisdiction in either civil or criminal cases, but an appeal will lie from their decisions to the High court. Any alteration of the constitution must be carried by an absolute majority of both houses, or twice by one house, with an interval of three months, and must be referred for approval by a majority of all the electors, including a majority of the electors in a majority of the states, and is subject to the Royal assent.

The seat of government is to be determined by the Federal parliament, which will assemble about next May. The capital is to comprise a territory of not less than 100 square miles, and must be situated

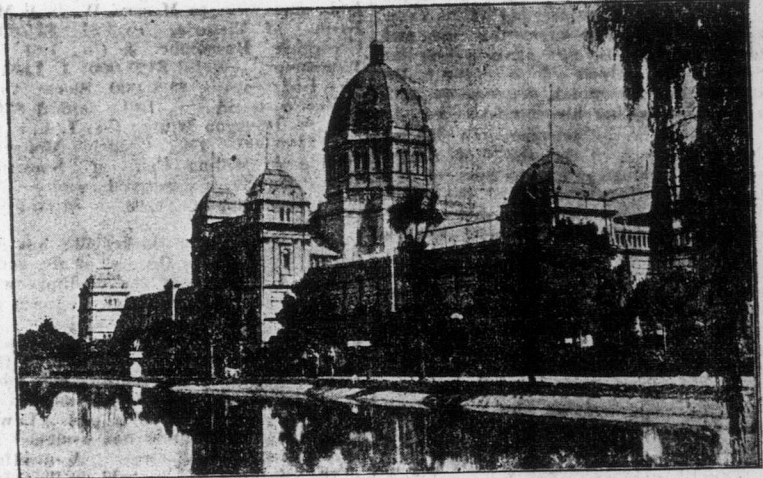


A TYPE OF AUSTRALIAN ABORIGINESE.

ated within the boundary of New South Wales, at a distance of not less than 100 miles from Sydney. Meanwhile the parliament is to meet in Melbourne.

THEIR CLAIMS SET AT REST.

The claim of other cough medicines to be as good as Chamberlain's are effectually set at rest in the following testimonial of Mr. C. D. Glass, an employee of Bartlett & Dennis Co., Gardiner, Me. He says: "I had kept adding to a cold and cough in the winter of 1897, trying every cough medicine I heard of without permanent help, until one day I was in the drug store of Mr. H. H. Houlahan and he advised me to try Chamberlain's Cough Remedy and offered to pay back my money if I was not cured. My lungs and bronchial tubes were very sore at this time, but I was completely cured by this remedy, and have since always turned to it when I get a cold and soon find relief. I also recommend it to my friends and am glad to say it is the best of all cough medicines." For sale by Henderson Bros., Wholesale Agents.



THE MELBOURNE EXHIBITION BUILDING, WHICH IS BEING FITTED UP FOR THE FEDERAL PARLIAMENT TO BE OPENED BY THE DUKE OF YORK.

HEALTHY FEET.

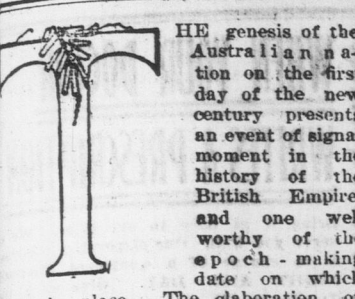
FOOT ELM makes your feet healthy, stops swelling, and cures cold, clammy feet. 25 cts., at drug stores, or postage free from Stott & Jure, Bowmanville, Ont.

CANCER CURED WITHOUT PAIN.

The New Constitutional Treatment Involves No Pain.

All ordinary methods of treating cancer or tumor involve the endurance of a great deal of pain. Operations, plasters, pastes—all mean untold suffering for the unhappy victim, and worst of all, they do not cure. The new method of treating malignant growths by constitutional means, whereby the cancer poison in the system is searched out and destroyed, causes no suffering, and best of all, it cures when painful operations fail. MESSRS. STOTT & JURE, Bowmanville, Ont., will be pleased to send to those interested, full particulars, on receipt of 2 stamps, and will regard correspondence as strictly confidential.

Washington, Feb. 2.—The president at 12.40 p.m. to-day signed the bill for the reorganization of the army. It is now law.



THE QUEEN'S BIRTHDAY.

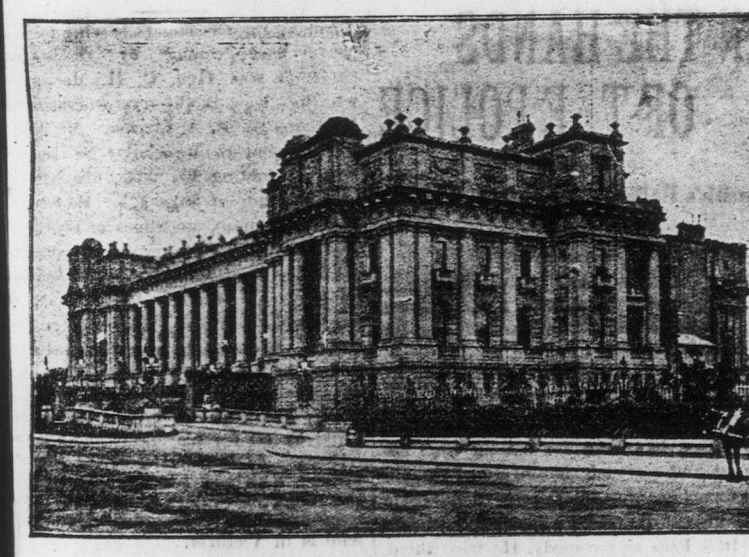
HE genesis of the Australian nation on the first day of the new century presents an event of signal moment in the history of the British Empire, and one well worthy of the epoch-making date on which it took place. The elaboration of the constitution has extended over the period of ten years which have transpired since the first framing of the Commonwealth Bill in the Sydney convention of 1891, and the process has been watched in this country with an interest which has heightened the anxious solicitude of the Australian people, who were submitted to the approval of the Imperial legislature and received the seal of Royal assent.

RESIDENCE AT SYDNEY OF THE FIRST GOVERNOR OF NEW SOUTH WALES.



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Adjacent communities such as the Australian colonies may in their government relations remain completely separated, subject to all the inconvenience and weakness of isolation, or they may become fused together into one mass, or while still retaining their distinct identity may elect to enter into a league or form a federal union for mutual purposes. The objections to unification in the case of Australia were at once obvious and insuperable. The area of the individual colonies is enormous. Texas, the largest of the United States, is smaller than New South Wales, and experience has already revealed many mistakes in Australian legislation due to an insufficient knowledge of the conditions obtaining in localities far removed from the present seats of government. Such errors would be gravely intensified if the attempt were made to govern so vast a country as Australia from one centre. Such a condition would entail the extension of the administrative arm to the widely distant distance between 2,000 and 3,000 miles. Moreover, the love of autonomy is a striking characteristic of the British race, whose genius consists in the con-



PARLIAMENT HOUSE, MELBOURNE.

solidity for managing their own affairs. On the other hand, much inconvenience had been experienced owing to the existence of higher custom houses and the restriction of competition of hostile railway tariffs. The absence of a common defence indeed a sense of weakness. The Australian natives' associations, too, rapidly growing and well-organized bodies, conceived a passion for national unity, and formed active centres of operation for the furtherance of their desire.

Some form of federation as combining autonomy with efficiency has always been regarded as the ultimate destiny of the Australian colonies. A scheme submitted by Earl Grey in 1850 was actually approved by a majority in both houses of the British parliament, but it was eventually abandoned as premature.

In 1885 a federal convention was held at Sydney, and in 1895 a federal council was established, but New South Wales stood aloof, and the prestige necessary for effective work was never accorded to that body. Meanwhile the approximation of the capitals by means of railway communication intensified the sense of artificial separation, and the necessity for some mitigation of the hard lines of demarcation between neighboring colonies more severely felt. In 1898 Sir Henry Parkes threw his commanding influence into the movement. He seized the opportunity afforded by a report on federal defence by General Sir Bowen Edwards. After con-

sultation with the other premiers a convention of thirteen members appointed by the colonies and New Zealand, assembled in Melbourne early in 1899, under the presidency of the Hon. Duncan Gillies. This was followed in 1891 by a convention of forty-five members, which met in Sydney under the presidency of Sir Henry Parkes, with Sir Samuel Griffith as leader. On this occasion the delegates were appointed by the parliaments, New Zealand was represented by three members, including Sir Geo. G. Grey, who stoutly fought for a democratic franchise, and prosecuted a campaign throughout Australia in favor of one man, one vote. At this convention a bill was drafted which has formed the basis of all subsequent operations. The bill was discussed in a desultory manner in the parliaments, and the matter gradually dropped out of notice.

In 1896, at the suggestion of the Right Hon. G. H. Reid, a conference of premiers was held in Hobart, and it was decided to stimulate the flagging interest by arranging for a convention elected by the popular vote. This convention assembled in the chamber of the Legislative Assembly in Adelaide in 1897, the Right Hon. Edmund Barton, leader. A bill was framed and submitted to the parliaments for their approval. The convention met again in Sydney to consider the suggested amendments, and completed its work in Melbourne by adopting the bill, which, with a slight modification as to deadlocks and the site of the capital city, was accepted by large majorities of the electors through the referendum. Although thus formulated by the legislature and accepted by the Australian people as their instrument of government, the measure was of no effect until it was passed into the form of an Imperial act. Addresses to the Queen, praying that this might be done, were carried in the legislatures, and, at the suggestion of Mr. Chamberlain, delegates were appointed to assist in the safe conduct of the proposed law. These were Hon. E. Barton and A. Deakin, Sir A. Drew Clarke, Right Hon. C. C. Kingston, Hon. J. D. Dickson and Sir Philip Fysh; and, as a result of their negotiations, the Commonwealth Act was eventually passed through both houses of parliament almost word for word as it emanated from the Australian people. The act provides for an indissoluble federal union under the name of the Commonwealth of Australia. A Royal proclamation was issued appointing January 1st as the day of establishment, and Lord Hopetoun has been appointed the first Governor-General. The component parts of the commonwealth, at present known as colonies, are in future to be designated as states, the six sisters being known as original states, but provision is made for the admission of other states by adhesion or subdivision. The federal legislative power is vested in a parliament consisting of two houses, a senate and a house of representatives. The executive authority is to be exercised by the Governor-General, who is to receive a salary of £10,000, and to avert the inconvenience or misfortune of absence of illness, he is em-

Old England and her noble hand in her reign is best indeed, World stings with her "Good Service" hand long to God and glory lead, her vast dominions may she rough the world, her bright ex-shine, the measure of her country's re add to her illustrious line.

is dead. Long live the King! she lives. To her I sing, this tribute o'er the main.

MEN'S EIGHTIETH BIRTHDAY.

May 24, 1890, Sir Lewis Morris, a long years, four score! and wife and mother, pure and unless life lived in thy people's did our longing more?

blest years to-day, a giddy height, yet not borne great burden of the Imperial y away.

long perilous years has ruled, always thy people's Law and Freedom hast thou boy alike and tears.

thy nation's heart, pot's crooked ways thou couldst know; in the broadening tide of freedom thy selfless part.

he's suffering pain, her woman's heart with pity d'nerous hand, thy gracious royal er sought in vain.

widowed throne, apart from all in lonely state, thou didst confront thy regal fate, and stone.

thy royal heart, ple's love sustained; blest mem- brief happiness thy soul could fill thee for thy part.

supported still, deep solitude which hems the hand to guide the helm of state, imperial will.

ed around thy throne, and children's children, pulsant, spring even as thine, a sceptred th was not alone!

tries of state, the hills, the seas thou holdest, ned republicans, simple, austere, d to be great.

thin drawn life, golden thread binds fast the d in peace, it, not yet, may thy worn forces be the gates of strife!

ddire flung away, ple's loyal love thro' stubborn le; to-day the kinsmen side by side thy gentle away.

thy glory thine, this, the best achievement of thy ster people, spurning hate and e and love combined!

ore such years, four score! eter gift than this high Heaven send; thou unfeeling, Mother! Sovereign! end! ill it holds in store.

A CONVINCING ANSWER.

bled into Mr. Blackmon's drug evening," says Wesley Nelson, of a, Ga., "and he asked me to try Pain's Pain Balm for rheumatism which I had suffered for a long time. I had no faith in any medicine all failed. He said: 'Well if Cham-Pain Balm does not help you, you pay for it.' I took a bottle of it and used it according to the directions in one week it was cured, and I since been troubled with rheumatism. Sold by Henderson Bros., Wholesale.

MINISTERS DISAGREE.

Will Not Consent to Execution of Prince Tuan.

Feb. 2.—M. de Giers, the Russian minister, had a three hours' conference with Hung Chang this afternoon. Foreign diplomats believe that it is that they should hold out for no agent for the Princes beyond banishment.

STOMACH GAVE OUT ENTIRELY.

I suffered untold agonies." This experience of Mr. D. G. Whidden, after being treated by S.S. after attack of Ice Gripes. Doctors and gave him no permanent relief, but Stan's Pineapple Tablets had the virtue that won him back to health—pleasant and harmless but and quick. 35 cents. Sold by Hiseocks and Hall & Co.—160.

PIOL & STEEL PILLS.

FOR LADIES. REMEDY FOR IRREGULARITIES. BREEDING BITTER APPLE PILLS. OCHIA. PENNYROYAL, ETC.

of all chemists, or post free for from EVANS & BONS, LTD., Victoria. MARTIN, Pharmaceutical Chemist, Southampton, England.

TS WANTED.—For "Life and Times Queen Victoria." Liberal terms. If paid credit given, sample book send 20 cents to pay postage. Act only, be first in the field. The Ballou, Dept. D., Philadelphia, Pa.

OVERCOATS AND MACINTOSHES, HALF PRICE FOR CASH.

100 Boys' Pea Jackets and Overcoats
200 Boys' School Suits
\$1.00 EACH TO CLEAR.
HALF PRICE FOR CASH.

B. WILLIAMS & CO.,

CLOTHIERS, HATTERS AND OUTFITTERS.
62-70 YATES STREET