

The Bill.

Explanation.

75. In all matters—

- (1.) Arising under any treaty ;
- (2.) Affecting consuls or other representatives of other countries ;
- (3.) In which the Commonwealth or a person suing or being sued on behalf of the Commonwealth, is a party ;
- (4.) Between States, or between residents of different States, or between a State and a resident of another State ;
- (5.) In which a writ of mandamus or prohibition or an injunction is sought against an officer of the Commonwealth,

the High Court shall have original jurisdiction.

76. The Parliament may make laws conferring original jurisdiction on the High Court in any matter :—

- (1.) Arising under this Constitution, or involving its interpretation ;
- (2.) Arising under any laws made by the Parliament ;
- (3.) Of admiralty and maritime jurisdiction ;
- (4.) Relating to the same subject-matter claimed under the laws of different States.

77. With respect to any of the matters mentioned in the last two sections, the Parliament may make laws :—

- (1.) Defining the jurisdiction of any federal court other than the High Court ;
- (2.) Defining the extent to which the jurisdiction of any federal court shall be exclusive of that which belongs to or is vested in the courts of the States ;
- (3.) Investing any court of a State with federal jurisdiction.

78. The Parliament may make laws conferring rights to proceed against the Commonwealth or a State in respect of matters within the limits of the judicial power.

79. The federal jurisdiction of any court may be exercised by such number of Judges as the Parliament prescribes.

80. The trial on indictment of any offence against any law of the Commonwealth shall be by jury, and every such trial shall be held in the State where the offence was committed, and if the offence was not committed within any State the trial shall be held at such place or places as the Parliament prescribes.

CHAPTER IV.—FINANCE AND TRADE.

81. All revenues or moneys raised or received by the Executive Government of the Commonwealth shall form one Consolidated Revenue Fund, to be appropriated for the purposes of the Commonwealth in the manner and subject to the charges and liabilities imposed by this Constitution.

82. The costs, charges, and expenses incident to the collection, management, and receipt of the Consolidated Revenue Fund shall form the first charge thereon ; and the revenue of the Commonwealth shall, in the first instance, be applied to the payment of the expenditure of the Commonwealth.

83. No money shall be drawn from the Treasury of the Commonwealth except under appropriation made by law.

But until the expiration of one month after the first meeting of the Parliament the Governor-General in Council may draw from the Treasury and expend such moneys as may be necessary for the maintenance of any department transferred to

75, 76, 77. *Original Jurisdiction.*—The High Court is to have original jurisdiction [that is, a right to hear cases in the first instance] in five kinds of cases, of a specially federal or inter-State character.

The Parliament is empowered to extend the original jurisdiction of the High Court to four other kinds of cases.

The Parliament may give similar jurisdiction to other federal courts or State courts, and may determine how far the jurisdiction of any federal court shall exclude that of the State courts.

78. *Suits against Crown.*—The Parliament may regulate the right of suing the Commonwealth, or a State, in the courts of federal jurisdiction.

79. *Number of Judges.*—The Parliament may prescribe the number of Judges who may exercise the federal jurisdiction of any court.

80. *Trial by Jury.*—The trial by indictment of any offence against the laws of the Commonwealth is to be by jury, and must be held in the State where the offence was committed.

81, 82, 83. *Consolidated Revenue Fund.*—All the revenues of the Commonwealth are to form one Consolidated Revenue Fund, which is to be applied in the first instance to the payment of the expenditure of the Commonwealth. No money is to be drawn from the Treasury except under appropriation made by law.

But until the first Parliament meets, and for a month afterwards, the Governor-General in Council may draw money for necessary expenditure.