

exercise of any authority which the constitution has conveyed to the nation, or deprive any citizen of the rights guaranteed by the Constitution."

Washington, Unlike Ottawa, Cannot Intervene

It is important to note that there is no provision in the Constitution of the United States for the disallowance of state enactments by the federal government. Under the Canadian Constitution if provincial legislation is considered inimical to federal interests it may be disallowed, though it may be quite within the competence of the Provincial Legislature. No such power exists in the United States. The state and the federal governments are independent of each other and the federal government has no control whatever over any legislation which is within the constitutional power of the states. Where a state legislature passes a statute which is beyond its powers the only remedy is in the courts, and it may require many years and much litigation to determine that such a statute is *ultra vires* of the state.

Only a Treaty Can Bind the States

Some of the difficulties to be apprehended from state legislation might, of course, have been obviated if the agreement had been cast in the form of a treaty instead of the informal understanding that concurrent legislation would be obtained. The individual states are not only prohibited from entering into treaties or agreements with foreign countries or with each other, but the treaties entered into by the federal government become part of the supreme law of the land. But in its present form the reciprocity arrangement will leave a large measure of freedom in the states to interpose obstacles in the way of importations from Canada which the federal government will be powerless to remove.