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How States Could Evade
Reciprocity

"POLICE" POWER PLACES INDIVIDUAL STATES ABOVE FEDERAL AUTHORITY

Constitutional Aspect of the Proposed Agreement—If Ingenious Enough States Could Direct Authority to Block Imports from Canada

(Reprint from Toronto Saturday Night.)

IN dealing with the pulpwood and paper schedules of the reciprocity agreement now before Parliament, the negotiators encountered an obstacle in the existence, in some of the provinces, of laws standing in the way of the freedom of the trade sought to be established. The difficulties connected with the export of pulpwood were, of course, of a peculiar nature, depending upon the circumstance that the bulk of the pulpwood in Canada happens to be upon the Crown lands under the control of the Provincial Governments. But the incident suggests the possibility of other difficulties through the exercise of the powers of individual provinces of Canada. It also suggests the possibility that corresponding action to the prejudice of Canadian trade might be taken by individual states of the Union.

States Versus Provinces

Both the United States and Canada are under a Federal form of government where the legislative sovereignty is divided between a central or federal government and local, provincial or state governments. In both countries the central government is paramount in certain matters but helpless in others. In the discussion of the reciprocity agreement very little attention has been given to this feature, which is a constant source of complication in the international relationships of countries under a federal form of government, and has proved particularly so in the case of the United States. The history of the United States gives ample ground for the apprehension of such difficulties in connection with the projected arrangement, not so much because of laws at present existing, but because of the powers of the states to enact such laws as