

was a main source of bitterness and of economic dislocation. Each of these was equal to one-seventh of the land granted to settlers and was to be their equivalent in quality and location. The reserves remained undeveloped bush lots but their holders profited as their value increased with the improvement of the surrounding areas. The Clergy Reserves (in practice granted almost exclusively to the Anglican Church), were a source of particular discontent as the spirit of the frontier, even in the comparatively traditional atmosphere of Upper Canada, was hostile to the whole concept of a State Church.

Somewhat similar abuses were taking place in Lower Canada where a small number of people belonging to the well-to-do and privileged classes obtained control over large areas of forest, which was then exceedingly valuable because of the boom in the shipbuilding industry. (It was not only New England that produced the fast-sailing clippers, and the masts and spars of the British Navy grew straight and firm in the forests of the New World). The resulting commercial profits went into the pockets of friends of the government.

The land-grant abuses were largely responsible for the development of radical movements in both Upper and Lower Canada, for the demand for responsible government, and ultimately for the rebellions which broke out in both provinces. (It is worth recalling that in Upper Canada the rebellion was led by William Lyon Mackenzie, grandfather of the most successful political leader in Canadian history, William Lyon Mackenzie King, who recently retired after serving as Prime Minister longer than any other statesman in the history of democratic government.)

It was not until after responsible government was granted and control over the public domain was vested in the colonial rather than the imperial government that the situation in Canada improved. In general, the homestead system was then adopted and free title was granted to anyone who would accept and develop the land. In 1854 both the Clergy Reserves and Seigneurial Tenure were abolished, although the church lands in Lower Canada were left untouched.

II. Division of Responsibility between Federal and Provincial Governments

In 1867 Canada (the title "Dominion of Canada" has no legal basis and is now seldom used in official papers) was formed by the amalgamation of the colony of Canada and of the two maritime colonies of New Brunswick and Nova Scotia. The colony which gave its name to the new federation was split into its two former divisions of Upper and Lower Canada, which now became Ontario and Quebec. Manitoba entered Confederation in 1870, British Columbia in 1871, Prince Edward Island in 1873, Saskatchewan and Alberta in 1905, and finally Newfoundland in 1949. The Yukon and Northwest Territories, which comprise over one third of the area of modern Canada (but have only about 1/10 of one percent of the population), have not yet acquired provincial status.

The creation of a federal state, ruled by a national and ten provincial governments, made necessary a division of responsibilities in every field of governmental activity. Among these was the control of natural resources. The British North America Act, provided:

- (a) that "All lands, mines, minerals and royalties.....shall belong to the several provinces.....in which they are.....situate or arise....."
- (b) that the federal government shall have jurisdiction over the coast and inland fisheries.
- (c) that the provincial and federal governments shall have concurrent rights concerning agriculture, but provincial laws shall be valid only to the extent that they are not repugnant to Federal legislation.