

CONSTITUTION AND GOVERNMENT OF CANADA

in London. In some, the Home Government concedes to local representative assemblies the power of legislation, but in others the Crown reserves the right of legislation by Orders-in-Council and of directing executive action by the Governor without interference from local authorities.

India.—The case of India, as a portion of the Imperial Dominion, is quite exceptional, its system of government having but little in common with that of most of the other British territories. Its history under the native kings and princes, the peculiar character and disposition of the diverse races occupying its territory, and its ancient connection with the East India Company and British Empire under circumstances of conquest and annexation, account for the methods of rule applicable to it, which are altogether different from those of either Crown Colonies or the self-governing Dominions.

Colonial Office.—In 1794, the Imperial Colonial Office became an active Department of State. Representative institutions had been granted to Nova Scotia and New Brunswick anterior to that date as also to the provinces of Upper and Lower Canada. Complete responsible government was finally established in these provinces by 1847, a conclusion which had been powerfully influenced through Lord Durham's famous report of 1839. The powerful influence of the Colonial Office in delaying the complete installation of responsible government in the colonies led to many bitter controversies. The story of the development of the Governors' Cabinet in the colonies into the Peoples' Cabinet, responsible to the peoples' representatives forms a number of the most interesting chapters in our political history. It was accomplished without revolution and with scarcely the shedding of a drop of blood. Lord Durham's report forms one of the landmarks of constitutional history in Canada. "The problem," Lord Durham asserted in 1839, "was to bring the influence of a vigorous public opinion to bear on every detail of public affairs and to secure harmony instead of collision between the various powers of the State." Bradshaw remarks, "In these simple words Durham laid the foundation of the new colonial policy of Great Britain."

Canada before Confederation.—The provinces and territories of Canada came into the Empire at different times and under varying circumstances. The province of Nova Scotia, first colonized by the French in 1598, was taken by the English in 1629, restored to France in 1632, and again ceded to Great Britain by the Treaty of Utrecht in 1713. Cape Breton, now a part of Nova Scotia, was not finally taken over by the English until 1758, and formed a separate colony until 1820. Representative institutions were granted to Nova Scotia in 1758, and in 1867 that province entered the federal union. A portion of New Brunswick was ceded to Great Britain by the French in 1713; but the province did not wholly become British until after the fall of Quebec in 1759-1763. It was largely colonized from New England in 1762. At one time a part of Nova Scotia, it became a separate province in 1784, and joined the federal union in 1867. Prince Edward Island, at first settled by the French, was annexed to Nova Scotia in 1713, but was a separate colony in 1769 and became a province of the Dominion by virtue of the British North America Act in 1873. Ontario and