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[Preface: The annual report of the Clerk of Forestry for the Province of Ontario 1899 printed by order of the Legislative Assembly included a 110-page account of the various stages of development from the days of the French regime to 1899 in the hope that it may be valuable as a work of reference, and interesting to students of constitutional history. It is indeed. I have selected parts of Aubrey White’s valuable account to highlight the history of how Ontario wisely decided to retain forest land unsuited for agriculture or settlement as permanent Crown Forest Reserves, instead of selling such lands to people and corporations as in the United States.]

Abridged from Aubrey White’s A History of Crown Timber Regulations from the Date of the French Occupation to the Year 1899 by Dr. Paul Aird, Professor Emeritus, Faculty of Forestry, University of Toronto.

The Ontario system of dealing with the timber upon Crown Lands, as it exists to-day [1899], is far in advance of any other system of regulating the disposal of public timber resources on this Continent. Those in charge of it from time to time have made greater efforts to preserve for public uses as large a measure as possible of the country’s natural wealth than have been attempted elsewhere. …

The latest legislation providing for the establishment of forest reserves is a further step to the same end, designed not only to secure for the people the largest possible present return from the timbered area of the Crown domain, but to secure that revenue in perpetuity. …

The earliest steps toward making the forest resources of the Province a source of revenue and so securing to the public a share of the wealth drawn from the public domain was taken in 1826 [with] the inauguration of a system under which anyone was at liberty to cut timber on the ungranted lands of the Ottawa lumber region, on payment of a fixed scale of rates to the Crown. …

In 1854 the House of Commons resolved that a select committee “be appointed to examine and report upon the present system of management of the Public Lands and the various dues arising therefrom, together with the present mode of selling, leasing and otherwise disposing of the same, to report thereon with all convenient speed, with power to send for persons, papers and records.”

The differences between the Canadian and American systems of disposing of the timber were thoroughly discussed during the course of the investigation. The exposition of the methods pursued in the United States rendered it abundantly evident that whatever defects might exist in the Canadian system it was much superior to that of the United States in the matter of preventing the monopoly of natural resources by comparatively few individuals and securing to the public treasury returns in some measure proportionate to the value of the privileges granted. …

Jonathan R. White, of the State of Michigan, explained to the committee the system adopted in the United States for the sale of public lands and timber. … The following answers made by Mr. White to questions submitted by the Committee explain the working of the system as it affected the lumber industry.

“Will you state the mode in which timber is disposed of?” “The Government do not permit the sale of timber on public lands, and agents are expressly appointed to prevent depredation. The purchase of the land is the only mode in which timber can be obtained.”

“Do you consider this a good plan?” “I do. It aids the sale of the lands, making them subject to taxation and encouraging the settlement of the country, also promotes the saving of the timber, which, under the stumpage system, will always be more or less wasted. The lands are generally fit for settlement after the timber is removed.”

“Supposing the land to be of little value for agricultural purposes, would you still consider it expedient to sell the land and not the timber by stumpage?”

“I would not. If the land be of little value except for the timber, it is the greater reason for selling it, especially as if sold the timber will be more economically applied.”

The Canadian lumbermen and Crown Lands officials who gave evidence clearly pointed out the defects of the American system as set forth by Mr. White.

“I have read Mr. White’s evidence,” said David Roblin, an experienced lumberman “and am decidedly of the opinion that the plan he proposed would at once place in the hands of the rich and opulent capitalist all the good lands of the Crown, or would lead to the formation of private companies for the purpose of purchasing the whole of them, once in the hands of wealthy individuals or companies they would immediately ask a large advance upon the cost and sell them on time to those that actually cultivate and improve the lands, and who have no other resource but to submit and to pay such fines as were demanded or seek elsewhere for more favourable terms to obtain a living for themselves and families.”

“With reference to Mr. White’s remarks respecting the disposal of timber on the public lands, it is quite evident that he knows very little of the subject upon which he speaks or of the amount of duties paid on timber here. He says it is even better to sell lands that are not fit for agricultural purposes than to sell the timber. Now take the plan which he proposed, viz., selling the land in the United States at 6s. 3d. per acre, and suppose these lands well timbered, it would take 150 feet of pine timber at 1/2d. per cubic foot (the Government duties) to pay for an acre of land, about two trees to the acre of a very ordinary size, being only 75 feet average. Now it will be observed that if the Government only gets duties on two trees to the acre they get this price with the land left, which is certainly worth something even should it be given to an actual settler. But the fact is one acre of good timbered land will afford on the average at
least about five times the quantity above mentioned. His remarks on this score may be quite applicable to prairie lands, where little or no timber is to be found, but can never apply to lands where there are to be found 150 feet on an acre, and the price according to his estimate. I may add that I have only taken pine timber in the above calculation, which pays a much less duty than other descriptions such as oak, elm, etc.

Andrew [Alexander] J. Russell, Crown Lands agent at Bytown, urged that past experience was strongly against the uncontrolled acquisition of land in blocks. "Were such a blight," he said, "to fall on the lands fit for settlement on the Ottawa it would check the consolidation of the Province as an inhabited country, and be injurious to its unity and strength. For there, as the chief value of the land is in its timber forests, we know it would be for that it would be purchased by speculators; the soil would be little thought of. The lumbering which is causelessly complained of now would then certainly be the governing interest and settlement be entirely at its mercy. Government would have lost all control of the land which it now retains and the immediate interest of the speculator would overrule the interest of the Province. The unconditional sale of lands could not possibly forward settlement more than the present system—would be advantageous to the speculators but fatally injurious to the revenue and might, by checking settlement, be injurious to the welfare of the province."

How well-founded these objections to the American system were has been amply shown by the experience of later years. The alienation of extensive tracts of the public domain of the United States has not promoted economical methods of lumbering with an eye to maintaining the productiveness of the forests for the benefit of future generations. On the contrary it has resulted in large regions adapted by nature for tree-bearing, but otherwise unproductive, being stripped entirely of their vegetation with the object of realizing immediate profit and turned into barren wastes, while the fact that the ownership of the soil remains vested in private hands is a serious obstacle to such comprehensive plans of reforestation as in the light of the increased knowledge of the subject and the urgent necessities of the case might otherwise be under-
taken. In those instances where it is sought to accomplish something in the direction of setting aside forest reserves, the State governments either find their schemes confined within narrow limits or rendered abortive by the conflict with vested rights which should never have been accorded, or find themselves compelled to repurchase at a heavy cost the lands necessary for their purpose.

In 1865, the Commissioner of Crown Lands showed himself to be thoroughly alive to the necessity of an advanced forest policy on the line of a strict discrimination between cultivable and non-agricultural lands, and the setting apart of the latter as permanent timber reserves.

"The value of a very large part of our remaining public lands, as a pine country, is well understood and has not been exaggerated. ... Though much of it has been denuded of its valuable timber, it is the opinion of the best informed that a large area remains untouched; happily for the interests of the country, the pine exists on lands for the most part unfit for settlement. It needs a careful discrimination between pine lands exclusively and lands fit for settlement, to place it in the power of government to conserve this valuable source of national wealth. Should the whole of our uncultivable lands be set apart, as I think should be done, as a pine region, and no sales made there, the land would, if the trees were cut under a system of rotation ... recuperate their growth of merchantable pine in cycles of 30 and 40 years, and pine growing might be continued and preserved for ages to come."

The British North American Act, 1867, in defining the respective powers of the Dominion and Provincial Governments includes, among the subjects coming exclusively within the scope of the Provincial Legislators: The management and sale of the public lands belonging to the Province, and of the timber and woodland thereon.

But with ... the union of the previously isolated provinces ... introducing a host of additional responsibilities and fresh problems, it is not surprising that the matter of forest preservation was thrust into the background, and for many years thereafter received but little attention.

The undue extent to which deforestation has been carried in the frontier counties of Ontario, and the prospect of the extension of similar conditions to the Northern regions, renders the problem of forest preservation one of increasing urgency. The idea that a considerable portion of the land, including especially the non-arable tracts, should be maintained in perpetual forest, yielding its periodical harvest of timber as an essential economic factor of national prosperity, had its advocates from time to time among our public men. But the liability of the woods to destruction by fire with the advance of settlement, and the general though unfounded belief that only one crop of pine could be secured from the lands, for some time strongly mitigated against any comprehensive action in the direction of forest preservation.

The first step in the direction of a policy of establishing permanent timber reservations was taken by the Ontario Government in 1893, in the setting apart of the Algonquin National Park. An act embodying the recommendations of the Commissioners, withdrawing this area from sale or settlement and constituting it a national park and forest reservation was adopted.

In 1897 a Royal Commission was appointed "to investigate and report on the subject of restoring and preserving the growth of white pine and other timber trees upon lands in the Province, which are not adapted for agricultural purposes or for settlement." In accordance with the recommendations of the Commission, the following Act enabling the Government to set apart permanent Forest Reserves, from time to time was passed by the Legislature in 1898: "1. The Lieutenant-Governor-in-Council shall have power to set apart from time to time such portions of the public domain as may be deemed advisable for the purposes of future timber supplies; 2. Such tracts of land so reserved shall, by proclamation in the Ontario Gazette, be declared to be permanent Crown Forest Reserves.

3. From and after the date of such proclamation no lands within the boundaries of such reserves shall be sold, leased or otherwise disposed of, and no person shall locate, settle upon, use or occupy such lands, or hunt, fish, shoot, trap or spear or carry or use firearms or explosives within or upon such reserves."...

This Act may be cited as The Forest Reserves Act.
The cemetery at Englefield Green, a large village at the southeast corner of Windsor Great Park, United Kingdom, is an old one and contains 91 Commonwealth War Graves, including 30 men of the Canadian Forestry Corps. As reported in the article in the Chronicle 91(4), “there is no tangible record for these men anywhere in the community, and a number of people (The Englefield Green Memorial Committee) are working to create a memorial to honour them” as well as village sons who died in the Great War. The following update is from John Scott, MBE, a member of the committee.

“It has been a while since my last email, however, things have moved on and I felt you may be interested to know. We have raised £65,500 to date and are just a fingertip away from reaching our revised target, only £8,000 to go. We are confident we will be able to start construction soon; in fact the area for the Memorial is being secured next week (fenced off). The first stage excavating the footpath and memorial footings start on the 3rd May 2016. Yes, in two weeks time!

We have received some help from the Crown Estate, we have been in talks with Paul Sedgwick the Deputy Park Ranger and the Chief Forester John Deakin is heading up the Estates Team. They informed me that foresters from Canada were planning to come over to visit the Totem Pole in the Great Park and carry out some renovation. However, later they informed that it has been cancelled I am sad to say. They were surprised to hear the forestry organisations in Canada were not able to support our project (but that’s water under the bridge as they say). I did say we had a champion named Susan [formerly with FPAC] who had tried to raise interest and of your kind personal donation and also you Ron. The Canadian Forestry Corps—Column is still part of our Memorial and it will still point towards Canada to honour and remember the 30 CFC members buried here in Englefield Green.

We plan to hold a dedication ceremony on the 15th of July, 2016; it is close to the commemorations for the Battle of the Somme where a large number of village residents died and 2016 is the Centennial of the formation of the Canadian Forestry Corps.

Part of our project has been researching details of each person named on the memorial. One such was Pte Jakomolin of the Canadian Forestry Corps—A First Nation Canadian drafted in 1917. I think I told you of his correct family name Chookomolin—I am pleased to say his name on the CWGC Web site has now been changed and lists him by his correct name and his Headstone is also being changed soon. So this year he will lay under his correct (in English) CHOOKOMOLIN.

His family have also been able to add an inscription in Cree to honour John; it will be at the base of his headstone, so another plus for our project.”

For readers interested in contributing to the Memorial, please see www.villagesonsremembered.org and donate via Pay Pal.