

boundaries, and there remains no reason for continuing the distinction heretofore made between the main body of lands from which the people of Canada as a whole were entitled to receive the benefit, and that small percentage of them long ago set aside as an educational endowment for the benefit of the people of Alberta alone. The latter, through the Government of the Province, may hereafter apply to the support of education a proportion of their total resources in land differing from that which in 1872 the Dominion thought it fair to the prospective inhabitants of the territory to earmark as applicable to that object.

6. For the retention by the Dominion of the control of the capital sum representing the proceeds of the sales of school lands heretofore made, and for the continued receipt by the Dominion of accruing payments on outstanding uncompleted sales, there appears to be even less justification on legal grounds than for its continuing to administer the lands still undisposed of. Although the statute of 1879 required "the Government of (the) Province or Territory" to which the annual interest was paid to apply it to the support of education, and although this statutory provision was no doubt binding on the Government of the Northwest Territories, it does not in law restrict the freedom of any provincial Government, the practical sanction being that, if an equal amount of money were not so applied, the statutory authority for the payment to the Province would no doubt be repealed by the Dominion Parliament. Since there is not the remotest danger of the Province of Alberta failing to devote to the support of education a sum much greater than this annual interest, there is at least no technical reason for refusing to permit the capital sum to pass under its control or for the Dominion to continue to receive the payments accruing on the sales that have heretofore been made.

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