

*Griffin, Montgomery & Smith*

MARTIN GRIFFIN, K.C.  
D. S. MONTGOMERY  
SIDNEY A. SMITH

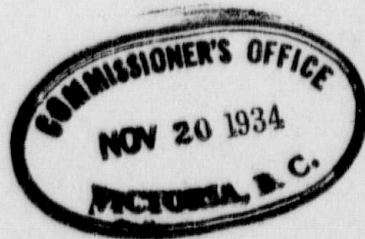
*Barristers, Solicitors, Etc.*

TELEPHONE SEYMOUR 8384-5-6  
CABLE ADDRESS "MARGRIFF"  
CODE WESTERN UNION

*609 Bank of Nova Scotia Bldg.  
Vancouver, B.C.*

November 19th, 1934.

Assistant Commissioner Perry,  
Dept. of Indian Affairs,  
Victoria, B. C.



Dear Sir:-

I am acting for one of the parties in a lawsuit in reference to a mineral claim called the "Indian" mineral claim, which is within, or almost entirely within the Kitselas Indian Reserve No. 1, near Usk, B. C.

I believe you had some correspondence once with Mr. A. M. Whiteside of this City in this regard, and I am acting for the same interest he was acting for. No interest of the Crown is concerned, nor does any interest inimical to that of the Indians arise in this lawsuit. It is simply a dispute between two people in connection with the minerals, and I wish to understand the matter as well as possible before the trial.

It appears that the Kitselas Reserve No. 1 consists of 1470 acres and was allotted on the 18th September 1893. It lies just North of the Canadian National Railway near Usk. The information I really seek is as follows:

- (1) I want to know how I can get formal proof of the creation of the Reserve, and its size, shape and location.
- (2) I would like reference to official sources in regard to the title to and jurisdiction over minerals in Indian Reserves in Canada. I am of course familiar with the Indian Act and with the Regulations thereunder known as Form 260, but it would appear to me that there should be a good deal of history about the position of minerals in Indian Reserves, especially the precious metals, and I would like to familiarize myself with it. If you could refer me to anything I would be obliged.

Yours very truly,

*Martin Griffin*

MG/R.

P.S. I recently called upon the Department's Agent here and would have referred this matter to him instead of bothering you, only he happens to be out of town.

RG 10, C-II-2, vol. 11079  
File/dossier 168/20-5-4

INDIAN AFFAIRS  
AFFAIRES INDIENNES

National Archives of Canada  
Archives nationales du Canada

001701