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Knighton.

You do not say whether or not Mr. Burnyeat has made an offer to pay an yearly rental, or, if this has been made, if you think the terms are fair and reasonable.

For your information I am attaching hereto a copy of Order-in-Council No. 2523, dated the 30th December, 1919, setting forth the regulations under which persons may obtain leases for surface rights on Indian Reserves for the mining of precious metals as provided for by Clause 2 of Section 46 of the Indian Act, and in this connection I wish particularly to draw your attention to Clause "C" of the Regulations. This copy was printed by the Provincial Government, but is the same as the one issued by the Dominion Government. I have only one copy of the latter here, otherwise I would send it to you. I note your remark with regard to your not seeing why Mr. Burnyeat should pay the Provincial Mining Recorder anything where the claim is on an Indian Reserve, but I may say that the precious metals anywhere have been conceded to belong to the Crown in the right of the Province, and this being the case, it is, of course, necessary to obtain a lease from the Province for the mining of the said precious metals, but as a miner can not reach the precious metals underlying Indian reserves, he must necessarily obtain a lease for the utilization of the surface rights.

Your obedient servant,

WED/HM.

W.E.Ditchburn.
Indian Commissioner for B.C.

Enclosure:-

RG 10, C-11-2, vol. 110753
File/dossier 164/20-5-S-3

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