

Excavating the Archival Legacy of the Department of the Interior: The Records of the Mining Lands Branch

by **DOUG WHYTE***

The search for minerals and the material benefits Canada has derived from their discovery, extraction, and use have had a great influence on the patterns of the country's growth. This resource development, however, did not occur in a uniform fashion. Regional differences were as pronounced in the area of mineral development as the geophysical settings in which the minerals were located. The history of Western Canada in particular has been closely linked to activities surrounding the exploitation of oil, natural gas, and coal deposits. While the occurrence of these and other valuable mineral resources was not unique to this region, the prairie provinces were subject to controls over natural resources found within their boundaries that had not been placed on the original partners in Confederation. It was not until 1930 that the western provinces finally gained control of the taxes, fees, and royalties received from the lease, sale, or production of minerals. The Natural Resources Transfer Acts came into force on 15 July 1930 for Manitoba, 1 August 1930 for the Railway Belt and Peace River Block within British Columbia, 1 October 1930 for Saskatchewan and Alberta. Yet despite the existence of enabling legislation it was many years before all records required by the western provinces were transferred to their possession. The Dominion government had accumulated enormous quantities of records relating to the management of western mineral lands during the nearly sixty years prior to the 1930 agreements. Of that mass of paper a large portion of the regional records were turned over to the respective provincial authorities but a substantial amount of material, particularly the headquarters files, remained with the federal government. The natural resource records held back, and in particular those related to minerals, are the central focus of this paper. It is the object of this study to trace the pattern of dispersal of mineral resource records created under the auspices of the Department of the Interior.

In 1871 the Secretary of State for the Provinces was entrusted with control and management of all Crown Lands in the year-old province of Manitoba and the North-West Territories.¹ In 1872, the passage of the Dominion Lands Act helped lay the foundation of the resource exploitation in Western Canada as mineral rights were separated from homestead rights.² Responsibility for the administration of the mining sector was placed under a special office within the newly created Dominion Lands Branch. The creation of the Department of the Interior in 1873 brought about consolidation of responsibility for the "survey, sale, and lease of agricultural, mining and forest

lands" under the Dominion Lands Branch which now reported to the Minister of the Interior.³ Over the next fifty-seven years western mineral lands along with other natural resources such as timber, grazing, irrigation, and the supervision of the Yukon Territory were administered by a succession of branches, divisions and units of the Department of the Interior.⁴ While the duties varied, the primary function of the government entities charged with the responsibility for the mining lands remained the sale and leasing of such lands and the collection of royalty revenues derived from mineral production. As one writer has noted,

The actual duties of this Branch (Mining Lands) remained fairly constant throughout its rather complicated history. It was responsible for administering mineral and petroleum resources on Dominion Lands, including coal mines, gas and oil wells, and claims for all other minerals. All applications for leases and registration of leases were handled by this unit.⁵

The development of the mining industry in Western Canada followed a traditional course. Prospectors sought out deposits of commercially valuable minerals. Once located, the extraction of the ore, oil or gas, required the injection of capital, equipment, labour, and a transportation system to convey the product to markets. As the industry and the country matured, new discoveries and increased demand for minerals spurred greater development. Technological advances created new uses for traditional minerals while the discovery of new elements also contributed to the expanded search for viable ore bodies. All of these factors combined with the exhaustion of earlier deposits forced exploration into more remote areas. The Department of the Interior contributed in several ways to this process of growth. Its Mining Lands Branch registered the purchase, rental or transfer of Crown Lands and collected the associated fees and royalties. The department also assisted in other aspects of mining development. Agencies such as the Geological Survey of Canada contributed to the exploration and evaluation of mineral resources in a systematic, scientific manner. The Mines Branch conducted statistics-gathering and research functions, thus adding to the knowledge of the industry while simultaneously improving extraction and refining techniques. These latter activities were not part of the functions transferred in 1930 but they serve to illustrate the diverse work undertaken by Interior in the mining field.

The value of the records created by the Mining Lands Branch can be viewed from different perspectives. The branch generated, on average, revenues of slightly more than one million dollars per year for the five years prior to the transfer.⁶ Thus these records held the means by which mineral resources were converted into a substantial source of government revenue, a fact not lost to those politicians and public servants who drafted the Resources Transfer Agreements. The active files of the branch held valuable information about who owed what and how to collect it. The older files were crucial for determining future rulings and policy developments because of the precedent cases and background information they contained. The Dominion government also viewed the records in another light. It was concerned about maintaining certain types of files after the transfer as evidence proving that the Department of the Interior had fulfilled its duties in a responsible manner. For the archival and historical communities, these records, had they been maintained intact, would have provided a clear picture of resource development in Western Canada, particularly with respect to oil and gas. The voluminous subject and case files compiled during the era of federal control coupled with financial records such as accounts, ledgers, royalty and mineral tax files, departmental general cash books, and the

cancelled claims and leases generated by mining, quarrying, and dredging operations would have provided a wealth of data about western development. The duties of the mining lands office incorporated preparation of legislation and regulations governing mining, administration, and disposal of mineral rights including the receipt of applications and issuance of leases, permits, grants, and assignments, documentation of these transactions and the collection of revenue along with the maintenance of reliable accounts. The accumulated files also recorded the inspection function of the branch. All of these records were carefully gathered, registered, indexed, and stored in regional and headquarters offices. If they had been preserved intact they would have formed an invaluable source of primary information for students and researchers from many disciplines. The obvious uses would be to analyse the development of the mining industry in Western Canada and the role the federal government played in that process. The transition from lease to sale of mineral lands along with the various reserve methods and royalty structures for different types of minerals would also be more clearly illustrated had these records been maintained in an organized fashion. Other themes that can be developed through existing records but which would have been greatly enhanced had more records survived include the growth of the mining industry and the role of individual entrepreneurs, political involvement, world market forces, labour relations, mineral development and its effects on settlement patterns, regional and frontier development as well as the trend towards concentration of ownership of resources. One possible research theme which would have been greatly enhanced by the existence of records no longer available is technological change and its effect on western prospecting and mining. The most important issue for which these records could have offered additional evidence is the relationship between the federal government, particularly the Department of the Interior, and the West.

Despite the high value placed upon the active mineral resource records by their contemporary creators and users, and the equally high value assigned to the historical records by archivists and researchers, the present state of the archival legacy reveals great losses of information experienced during the intervening years caused primarily by sanctioned destruction or administrative neglect. A compounding problem for users of archives stems from the dispersal of the surviving records throughout numerous government agencies at both the federal and provincial levels.⁷ The remainder of this paper will trace the different paths taken by the various components of the pre-1930 mining lands records.

The agreements reached individually with Alberta, Saskatchewan, and Manitoba clearly identified the Crown Lands, additional assets, and records which were to be transferred to the respective provincial governments:

In order that the Province may be in the same position as the original Provinces of Confederation are in virtue of the section one hundred and nine of the British North America Act, 1867, the interest of the Crown in all Crown lands, mines, minerals or royalties, shall from and after the coming into force of this agreement, and subject as therein otherwise provided, belong to the Province.⁸

After years of sometimes acrimonious debate, the Government of Canada was instructed to deliver to the provinces all documents, "originals or complete copies ... relating exclusively to dealings with Crown lands, mines and minerals, and royalties derived therefrom."⁹ The provinces also had access to all other related records and were entitled

to obtain copies of any documents required for "the effective administration of the Crown lands, mines, minerals and royalties."¹⁰ Armed with this seemingly clear statement of the division of responsibilities the two parties set about the task at hand, that of transferring responsibility for the mineral resources, and the administrative apparatus and necessary records required to manage them. Despite the enormous difficulties such an undertaking engendered, a spirit of co-operation characterized the early post-transfer period.

The initial phase of the transfer was completed with relative ease. The regional records held in local mining offices were turned over promptly to provincial authorities.¹¹ These files were of vital importance to the provinces because they contained the basic information required to administer the newly acquired functions. Department of the Interior personnel involved in natural resources activities, including those of the Mining Lands Branch, were loaned to the provinces to serve in an advisory capacity during the transition period and to train provincial employees in their new duties. In some cases, federal employees transferred to the provincial civil service.¹²

Despite the early good will between the two levels of government, the honeymoon was soon over. The relationship once described by a federal official as one of "perfect harmony and co-operation" disintegrated amid a shower of charges and counter-charges.¹³ The ink had barely dried on the last of the agreements before conflicts became apparent. The discontent initially came from the western press but soon the provincial representatives followed with similar views. In the spring of 1931, provincial members of the Alberta and Saskatchewan Resources Commission made the charge that "the records of the local Agents were defective and inaccurate, also that the rate at which the Department was supplying information was altogether too slow."¹⁴ As a consequence of the difficulties encountered with the regional records the provinces demanded "all books, files and other records at present in the Norlite and Vimy buildings."¹⁵ The reasons for the provinces' expanded demands are not always clear but undoubtedly some were initiated by a somewhat inexperienced staff who had to deal with procedural questions for which no consolidated source of information was available, such as the Interior head office records. The federal officials readily admitted that the regional records were not always in a neat orderly state but the department could not guarantee "perfect order" especially for the early years because "there were matters which escaped attention owing to the great pressure of departmental business."¹⁶

There is no evidence to indicate that the federal government intentionally slowed the transfer process. In fact, the reasons for the delays appear quite valid judging from the correspondence of the officials responsible for overseeing the shipment of the relevant documentation. The greatest impediment to a quick transfer of records stemmed from the nature of the records themselves. The sheer quantity of files generated by the Mining Lands Branch during its tenure represented a huge identification and listing project. The problem of the volume of material was compounded by the nature of the records. Files often contained information relating to several provinces. Most of the indexes and registers presented the same difficulty.

There were staff-related difficulties as well. The Department of the Interior had mobilized its headquarters staff to locate, identify, and list those documents required by the provinces at a time when cutbacks caused by the resources transfer and the Depression were being made. This reduction of staff was particularly troublesome in the areas of the department where the workload had increased due to the records transfer. Requests for additional staff for these areas fell on deaf ears. The existing employees were pressured

into increasing their production levels through the introduction of longer working hours. Attendance books required staff to sign in four times daily, production logs were kept on individual employees, and weekly reports were made by supervisors.¹⁷ From the surviving reports we learn that between 1 October 1930 and 18 February 1931, 1,704 person-days were expended by the Mining Lands Branch staff on the project.¹⁸ The fruits of these labours are evident in the following table. (Table 1) A total of over twenty thousand files were identified, listed, and transferred for the period leading up to the end of July 1931.¹⁹

TABLE 1
Schedule of Files to Be Sent to the Provinces,
Relating to Mineral Rights

	Man.	Sask.	Alta.	B.C.
Alkali	Nil	38	Nil	Nil
Clay	3	5	Nil	2
Coal	3	84	621	2
Coal Surface	Nil	Nil	6	Nil
Dredging	1	2	19	Nil
Permission to occupy	61	4	Nil	Nil
Pet & Gas Leases	66	520	16930	100
Pet & Gas Permits	Nil	5	192	Nil
Potash	Nil	1	Nil	Nil
Quarrying	171	40	46	66
Quartz Mining Leases	911	289	4	Nil
Quartz Surface Leases	58	12	Nil	Nil
Tar Sand	Nil	Nil	3	Nil
Unpatented Sales	Nil	1	24	1
Pet & Gas General Files	11	33	438	25
TOTALS	1285	1034	18283	196

GRAND TOTAL 20789

Source: National Archives of Canada, Records of the Department of the Interior, RG 15, vol. 65, file 5601898, part 2.

The criticism leveled at the federal government, and at the Department of the Interior specifically, must have been doubly irritating to the Mining Lands Branch given the strenuous efforts they were expending to prepare resource material for the provinces. In their own defence, departmental officials responded to the critics by citing a number of justifiable reasons for the rate at which records were being transferred. The provincial demands for additional records also upset federal officials. The end result was a complete deterioration of the trust which existed between the two parties when the agreements were signed. The provinces increased their demands and the federal representatives threatened to withhold many classes of records for various legal and financial reasons, including the protection of the trust relationship between the department and former clients. It was this sense of apprehension that resulted in such actions as the Supervisory

Mining Engineer at Calgary asking for and receiving from the Deputy Minister of the Interior permission to strip departmental memoranda from the general files prior to turning them over to the Alberta government. The files contained applications for credit and the department's considerations of credit extensions to companies and other leasees of petroleum and natural gas rights.²⁰ The material was deemed exclusive to the Dominion. The same action was taken with respect to general petroleum files held at headquarters later in 1931.²¹ Another example of the growing apprehension felt by federal officials can be seen in the advice issued by several staff members that a complete set of headquarters copies be maintained to ensure that the provinces comply with agreements previously made between the department and its clients.²²

A further by-product of the deteriorating relations between the federal and provincial resources negotiators was a debate over the interpretation of the transfer agreements. The agreements stated that the provinces were entitled to "all records in any department of the Government of Canada relating *exclusively* to dealings with Crown lands, mines and minerals, and royalties derived therefrom within the Province." The federal interpretation of the "exclusivity" clause eliminated patent books from the transfer agreements since they related to all four provinces as well as Yukon and the Northwest Territories. Therefore, the provinces were "only entitled to have access, with permission to copy" for records relating to resources within their own boundaries.²³ In addition, requests for quartz and placer mining registers were complicated by the fact that Saskatchewan, Alberta, and Manitoba mines were entered on the same pages. The overwhelming number of entries were for Alberta mining lands but before they could be turned over the other provinces had to consent to their release. Clause E of the Supplementary Resources Agreement stated

That any records relating to more than one Province will be taken over by agreement as between the Provinces and that they will execute a release of the Federal Government's obligation in so far as it relates to all Provinces.²⁴

Aside from citing the agreement, the department refused to give up certain types of records, claiming that sales books were required by the Accounts Branch, patent registers by the Registry Office, and other registers by the Financial Controller. The standard response to the requests for additional records was to point out that the original files in the regional offices contained all the required information. It was felt that the provinces were merely attempting to avoid the expense of consolidating these records.

After a year fraught with disagreements and accusations, the two sides finally negotiated a new basis upon which the transfer of files could resume. Memoranda of agreement were signed in August 1931 between the Dominion and the Provinces of Manitoba, Saskatchewan, and Alberta.²⁵ In these documents the Dominion government reiterated its stand that the initial requirements set out by the transfer agreements had been fulfilled. Each province had received all departmental records including mining lands files held in the regional offices. As a concession to provincial demands, the agreement also stated that the Dominion "undertakes to deliver to the province certain records from the Head office of the Department at Ottawa."²⁶ These included township registers and other books or records in the Land Patents Division, plans and other records in the Technical Division, files in the Registry Division of the Secretary's Branch relating to lands held under entry, lease, sale or other means, and finally, plans and correspondence relating to water power, forestry, surveys, and functions of the Supervisory Mining Engineer's Office. The provinces were required to pay all costs involved in the transfer and care of the records once in

their possession, acknowledge receipt, afford access to Dominion representatives, and allow the Dominion use of these documents in any future legal action.

The change in the federal attitude came about as a result of several events. An inventory of resources which had been started by the Department of the Interior was suspended due to a lack of funds and staff. This inventory would have provided the provinces with a detailed listing of resource records held by the Ottawa offices of the department. It was concluded that without the inventory the provisions of the original 1930 agreements would probably be interpreted in favour of the provinces in any legal action and therefore, "there seemed no alternative but to concede the demands of the Provinces."²⁷ The Interior officials also reversed their stand on splitting registers and other books related to more than one province because "it only required time and rebinding expenses."²⁸ With the resolution of the debate, an era of tranquility followed. Ironically, except for a request in 1934 by Alberta for a complete set of orders-in-council passed by the Department of the Interior to 1926, there is no record of communication on the issue of additional document transfer. Perhaps a greater irony is the fact that the next phase of the transfer of resource records was instigated by the federal government.

By the end of 1942, there was renewed interest in the issue of mining lands records. On 21 November, the Honourable T.A. Crerar, Minister of Mines and Resources, submitted a report to the Committee of the Privy Council. (Appendix I) In brief, the minister explained that the cost of maintaining vast amounts of old Interior files whose value was diminishing with each passing year should be reduced. The dimensions of the storage problems were readily grasped but not easily solved. The historical Dominion Lands records occupied 5,200 filing cabinet drawers and were estimated to weigh 227 tons. Of this total, 735 drawers were produced by the Mining Lands Branch and its predecessors.²⁹

Crerar proposed that the resources files including mineral records be offered to the provinces for immediate transfer. If rejected, those with long-term value should be microfilmed or turned over to the Dominion Archivist. The resulting Order-in-Council, P.C. 10772, set in motion a new round of federal-provincial negotiations. Correspondence outlining the proposals was sent to each of the four western provinces. The first responses to Crerar's overtures began to trickle in by December 1942. Manitoba replied that "In so far as Mining Lands files are concerned it would not appear that these files would be of any particular value to our Mines Branch."³⁰ Saskatchewan replied in a similar vein noting that "Retention or destruction of these old files is left to your good judgement."³¹ W.F. Kerr, Minister of Natural Resources for Saskatchewan, added that many hundreds of the old files originally transferred to Regina were no longer of value and would themselves, in due course, be destroyed. Alberta responded that it was not prepared to commit to a definite policy at the time. This certainly was a dramatic reversal from the passionate stance taken by the western provinces in the 1920s and again in 1931.

Although valid reasons were presented for the proposed transfer of Dominion Lands records in general and mineral lands files in particular, there were no immediate takers. There were, however, some dissident voices from within various federal agencies which raised vigorous objections to the proposed destruction of so-called obsolete files. Arguments originally formulated more than a decade before to foil the provinces' bid for acquisition of more headquarters files were introduced by officers who proposed that the federal government had a responsibility to "keep carefully at Ottawa, the files which contained information justifying the alienation of individual parcels of land or rights

therein.”³² This sobering warning was echoed in the statement of one unidentified public servant. He asserted that there were

230,000 mining lands files, patented mineral sales, patented coal land sales, patented mining lands sales, many hundreds of these files contain important ministerial and legal branch rulings and decisions on questions at various times submitted. We have files relating to over 50,000 petroleum leases — 20,000 were alive when the resources were transferred. There are probably 30,000 dead petroleum lease files, but we do not know whether they are dead or not without examination.... While there is no doubt that many of the files might safely be destroyed, it would be very unwise to destroy them without careful examination by officials familiar with the files. This would involve considerable labour and occupy the full time of at least one official for a period of at least two years.³³

These double-barrelled arguments of the potential financial and legal consequences that could occur if files were destroyed without proper inspection resulted in a re-evaluation of the proposal.

The protest over destruction of old Interior records had far-reaching effects. Eventually many of the safeguards that were instituted to prevent harmful destruction of Dominion Lands records became, in theory, the standard procedure used across the whole of the federal government. Criteria were established by which files could be judged in terms of their informational value. All files transferred or destroyed were to be carefully recorded. Provincial advisors were to verify all selections and confirm the decisions on disposition. The Public Archives of Canada was to be consulted to determine if any of the records in question had historical value and therefore were worthy of permanent retention. As part of this last procedure, Gustave Lanctot, then the Dominion Archivist, was contacted in June 1943. His response to Deputy Minister Charles Camsell was that the Public Archives was most anxious to acquire “all material that your department does not wish to retain.”³⁴ Norman Fee, Lanctot’s assistant, was dispatched to examine the “extent and character of the records.”³⁵ In his subsequent report he recommended that a decision on the records, “be deferred until after the war when the work of examining them might be done, under competent direction, by men discharged from the armed forces who wish to continue their studies in history and historical research.”³⁶ Lanctot felt that this solution was impractical. He was interested in the material but was unable to locate sufficient storage space to house such voluminous records. At one stage A.S. Morton of the Saskatchewan Archives Board offered to take all the Dominion Lands files, on the condition that the Dominion pay the transportation costs. Since Lanctot was not in a position to acquire this huge quantity of records, he recommended that rather than have the material destroyed, it should be divided between Manitoba and Saskatchewan.³⁷ Although several other alternatives were proposed no decision was made for several years.

The Saskatchewan proposal was rejected for numerous reasons, not the least of which was the lack of Dominion funds to ship the files west. The most expedient method of reducing the glut of old records seemed to be destruction but as the Deputy Minister was quick to point out, it would be a carefully administered programme. At no time was it intended “that the general files relating to matters of policy would be destroyed.”³⁸ The 1942 Privy Council order 10772 offered a means of satisfying both concerns. It was a

further elaboration of the first concrete proposal for destruction offered in Treasury Board minute TB160481 B, 2 June 1936 which allowed for the automatic destruction of certain classes of records including old Dominion Lands records. The 1942 order offered such alternative options as transfer to the provinces or to the Public Archives. If neither solution was acceptable the final option was destruction. This policy was further modified in 1945 with the passage of P.C. 6175. This order established the Public Records Committee through which all requests for the transfer or destruction of records by federal departments had to be cleared. This was intended to allay fears of wanton destruction of valuable records. The Dominion Archivist sat as a member of the committee. This safeguard and the clause of the committee's mandate providing for the transfer of those records, "of permanent value" to the Public Archives if not required for current use, thus reduced the danger of over-zealous destruction. In a series of Treasury Board minutes passed from 1947 to 1954, authority was sought for the destruction of old Interior records. Among the items for which destruction was sought were mining records such as lapsed claim files and Dominion Lands information files dated to 1943. These were disposed of under Treasury Board (TB) order 334056B, 27 July 1947. This was followed in succession by TB 356948B, 14 July 1948 allowing for the destruction of additional classes of files. TB 370024B, passed on 27 May 1949 responded to an official request for destruction of old mineral assignments recently completed. The final development in this sequence was a request for the inclusion of five groups of additional mining records to be destroyed that received Treasury Board approval in the form of TB466033, 12 February 1954.

The procedure for destruction was greatly hindered by the lack of experienced staff, ongoing negotiations with the provinces, and the large outlay of manpower and capital required to list and screen the material. At the outset loose application forms were disposed of as they were easily identified. In the late 1940s as staff and funds became more plentiful larger projects were undertaken. Seventy-seven drawers of what was described as "valueless paper" — mostly lapsed claims for the Northwest Territories — were disposed of.³⁹ In 1950 an additional sixty drawers of lapsed claim files were destroyed.⁴⁰ By 29 August 1950, a total of 368,200 Dominion Lands Branch files had been disposed of.⁴¹ A report written in February 1951 indicated that a number of mining records within a 350 drawer series were destroyed. The files related to petroleum and natural gas applications on School Lands in Manitoba, Alberta, and Saskatchewan. Since the originals were held in regional offices it was assumed that these duplicate copies could safely be destroyed. In 1952 an additional twenty-one cartons of mining records were sorted for destruction.⁴² In response to this flurry of activity and as a reiteration of existing policy, the Public Records Committee cautioned against indiscriminate destruction of mining lands records as there was a possibility that the "under rights" might still be of interest to the Dominion. In 1951 there was an abatement of sorts but the Department of Resources and Development, successors to the Department of Mines and Resources and custodian of the Interior legacy, still sought to identify for destruction additional categories of records among the 721 drawers of Mining Lands files remaining at head office.⁴³

It should be pointed out that some records escaped destruction. From 1948 to 1950, some 70,960 Mining Lands files were transferred to Manitoba. Additional files were also preserved at the Public Archives of Canada. In part these transfers can be attributed to the intercession of the Dominion Archivist and the Public Records Committee as well as the provisions of P.C. 6175. Additional credit is also due to certain departmental officials who recognized the value of these records. The Public Archives was plagued by the same

problems that hindered the department's own efforts to screen records for transfer, namely a lack of skilled personnel. The task of identifying the "historically significant" mining records required many hours of reviewing time. Since there was a shortage of archives staff to undertake this function assistance was sought from other sources. The Historic Sites Division was approached in 1947 but refused because their staff was not familiar with departmental policy or land administration and therefore would not be capable of making judgements on the value of the material. Undaunted, the Public Archives carried on. The administration files held in the Records of the Department of the Interior, Record Group 15, and the Records of the Northern Affairs Program, Record Group 85, contain great amounts of information about the destruction of mining records but very few references to records transferred to the Public Archives. There is some evidence to indicate that records were sent but the fate of these files and the other mining records remains unknown.

We know that the archival legacy of the Department of the Interior, including mining lands, is spread across dozens of archival repositories, and retained by government departments both federal and provincial. Of the mining records held by the National Archives the majority are located in Record Group 85. The Northern Affairs Program as a direct administrative heir to Interior's Mining Lands functions inherited those operational files not transferred west or retained by the federal Department of Energy, Mines and Resources. The A1a Series central registry files of the Mining Lands and Yukon Branch contain a smattering of western mining files not originally transferred. These mainly administrative files were considered useful for policy and procedural reasons.⁴⁴ There are very few case files dealing with individual leases or claims. The most interesting files describe the details of the resources transfer in relation to mining and mineral records. A subseries within the Mining Lands and Yukon Branch records consists of nine volumes of mineral assignments recorded by the Mines Branch beginning in 1907. Included among these is a block of some eleven thousand assignments which were to be destroyed in 1947. That request was postponed as many of the assignments were still active.⁴⁵ The delay allowed for examination of the files by Archives staff and led to their acquisition by the Public Archives.⁴⁶ The early assignments in particular contain a number of transfers or sales of claims from individuals to large companies. They illustrate the process of consolidation of holdings among the competitive mining companies operating on the prairies at the turn of the century. The Northwest Territories and Yukon Branch, Mining Supervision and Inspection Office contains a small number of files relating to the inspection of drilling and mining operations in the West for the 1920s. These could be part of the records stripped from the petroleum files in regional offices and head office.

The records of the Department of the Interior located in Record Group 15 represent a fraction of the total amount produced by that organization over sixty years. Of the surviving files there are some useful sources relating to the transfer of Mining Lands records, the administrative structure of the branch, and general files about personnel, annual reports, and production schedules. The obvious omission is the lack of any operational records, case files or inventories of mining development in the West. Most of this has been transferred or destroyed.

One cannot expect that all of the records created by the Department of the Interior have survived — the sheer volume of material makes such an idea impractical. Yet it is a tragedy that such an important archival legacy has deteriorated to such an extent with so many components lost or destroyed. Historians have used the remains to fashion various

analyses of resource policy, studies of specific mineral developments or of prominent developers.⁴⁷ Regional or economic histories along with the history of technology to name a few fields of study could benefit from a closer scrutiny of existing mineral records. The single greatest impediment to such a project could be reduced through the efforts of the various repositories which hold a part of the legacy. Several attempts have been made to identify the holdings in a systematic fashion, the most recent and best work in that category having been compiled by Irene Spry and Bennett McCardle.⁴⁸ A united approach by the archival community would undoubtedly result in a research tool of great value to researchers and archivists alike. This, combined with a more concerted effort to dislodge the pockets of historical records still held by government agencies would yield valuable results. Only through the efforts of archivists working to identify, describe and preserve the remaining records of the Department of the Interior will we be able to gain a greater understanding of an important phase in our national development. As this case study of the records of the mining lands component of Interior has demonstrated, our ability to understand the functions and activities of that branch has been permanently affected by disposal decisions based on short-term needs and perceptions as well as political motivations. It is hoped that such an example reinforces the importance of knowing the nature of records, the organization creating them and the potential archival value of the information they contain before irrevocable disposal decisions are made.

Appendix I

The Committee of the Privy Council have had before them a report dated 21st November, 1942, from the Minister of Mines and Resources submitting as follows,-

When the natural resources of the three Prairie Provinces and the Railway Belt and Peace River Block of British Columbia were transferred to those Provinces in 1930 the active Dominion Lands files and other records necessary for the administration of the natural resources were delivered to the Provinces. The Department of Interior retained the files relating to patented lands and many other files having to do with lands administration by the Department. The Value of these old files and other records has been diminishing from year to year until now it is felt there is little justification for retaining most of them any longer. The cost of keeping them is substantial.

The four Western Provinces have been asked whether they would be prepared to take over those files relating to lands within their respective boundaries. It is proposed, if they reply in the negative, to destroy those that appear of no value to the Department of Mines and Resources, photograph on Recordak film those that seem to warrant such expenditure and retain intact in the Department or turn over to the Dominion Archivist what it is expected will be a relatively small balance.

The Minister, therefore, recommends that authority be granted for the transfer to the Provinces of British Columbia, Alberta, Saskatchewan and Manitoba; destruction; or recording on microfilm and destruction of files and other records relating to the

administration of the natural resources of the Provinces by the Dominion or other work of the Department of Mines and Resources that in the opinion of those officers who may be charged with the responsibility are no longer required by the Department.

The Committee concur in the foregoing recommendation and submit the same for approval.

[J.L. Ilsley]

Source: National Archives of Canada, Records of the Privy Council Office, Orders in Council, RG 2, Series 1, Vol. 1783, P.C. 10772, 26 November 1942.

Notes

- * For the purposes of this paper and to avoid confusion over the myriad of name changes the office underwent between 1871 and 1930, the term "Mining Lands Branch" will be used to denote the activities of the administrative arm of the Department of the Interior responsible for mining lands in Western Canada prior to 1930.
- 1 National Archives of Canada (hereafter referred to as NA), Records of the Privy Council Office, RG 2, Series 1, Order in Council 708, 1 March 1871.
- 2 35 Vict., c. 23.
- 3 36 Vict., c. 4.
- 4 During the period of time in which the Department of the Interior was responsible for mining lands in the West, the specific offices which administered these duties went through numerous changes. The following chronology illustrates the major configurations.
 - 1872 Dominion Lands Act
 - 1873 Dominion Lands Branch
 - 1878 Timber and Mines Branch
 - 1881 Timber, Mines and Grazing Lands Branch
 - 1898 Timber, Mines, Grazing and Irrigation Branch
 - 1907 Mines Branch
 - 1909 Mining Lands and Yukon Branch
 - 1922 Mining Lands Branch
 - 1928 Mining Lands Division
 - 1930 Resource Transfer
- 5 Peter Gillis, "For the Purposes of the Dominion, A Guide to the Federal Records Relating to Immigration, Land Settlement and Resource Development in Western Canada, 1870-1936," manuscript guide, Federal Archives Division of the Public Archives of Canada, 1980.
- 6 Department of the Interior, *Annual Reports*, 1927, 1928, 1929, 1930, 1931, 1932.
 - 1926 \$ 748,787
 - 1927 \$1,023,085
 - 1928 \$ 885,941
 - 1929 \$1,053,581
 - 1930 \$1,638,597
 - 1931 \$ 731,946
- 7 This problem will be alleviated through the soon-to-be published survey, Irene Spry and Bennett McCordle, *The Records of the Department of the Interior and Research Concerning Canada's Western Frontier of Settlement*, which will provide information on the location and extent of the surviving Interior records.
- 8 20-21 Geo. V, Clause #1, c. 3, 29, 41.
- 9 *Ibid.*, Section 23 in the Alberta and Manitoba Acts, Section 25 in the Saskatchewan Act.
- 10 *Ibid.*
- 11 NA, Records of the Department of the Interior, Record Group 15, vol. 64, file 5601898, Saskatchewan and Alberta Resources Commission, Summary of Memorandum of Transfer of Resources, 5 June 1931.

- 12 NA, Records of the Department of Indian and Northern Affairs, Record Group 22, vol. 18, file 75, Transfer of Natural Resources, Memorandum from the Assistant Solicitor to W.W. Cory, 24 October 1930:
- The Dominion has carried on the administration of these natural resources with a staff at Head Office in Ottawa of 290; Manitoba 46 with no part-time employees; Alberta 147, 22 of these being part-time; Saskatchewan 92, 20 of these were part-time employees; in the Province of British Columbia 25 employees, 2 of these being part-time. The Provinces, in order to carry on their new responsibility have taken over the following Dominion staff. In Manitoba 25; in Saskatchewan there are 58 Dominion employees on loan to this Province and in Alberta 57 Dominion employees have been loaned to the Province. In British Columbia the Province has taken over 4.
- 13 NA, RG 22, vol. 18, file 75, Assistant Solicitor to W.W. Cory, 21 October 1930.
- 14 NA, RG 15, vol. 64, file 5601898, Memo from the Commissioner of Dominion Lands Office, 19 May 1931. Note the pencilled notation "not sent."
- 15 *Ibid.*, These buildings housed part of Interior's Head Office complex. The Mining Lands Registration Office was in the Vimy Building.
- 16 *Ibid.*, Memorandum entitled Transfer of Natural Resources: Question of Custody of Records Dominion Lands Administration, 5 June 1931, p. 4.
- 17 NA, RG 15, vol. 2006, file 5072360, part 1, Transfer of Resources to Provinces and Destruction of Old Files and Records. Circular Memorandum from H. Fitzimmons, Acting Commissioner of Dominion Lands, to G.E. Watt, Ordnance, Admiralty and Public Lands Division, 30 December 1930.
- 18 NA, RG 85, vol. 2042, file 231210, Transfer of mining lands records to British Columbia, 1930-1941, Reports to the Commissioner of Dominion Lands from the Mining Lands Branch, 19 February 1931.
- 19 *Ibid.*, Memorandum from R.J. Daly to H.E. Hume, 8 August 1931. An additional note on the state of mining file transfers is found in RG 15, vol. 64, file 5601898, Daly to Hume, 2 July 1931, in which it is stated that approximately 1,500 royalty in mineral files remained to be dealt with, 1,921 having already been sent.
- 20 NA, RG 85, vol. 1652, file 3842, letter from C.C. Ross, 26 May 1931.
- 21 NA, RG 87, vol 1703, file 12030, part 3, Memorandum 13 June 1931. "Mr. Daly is stripping more than 600 General Petroleum files of Departmental Memoranda before sending these files to the Provinces."
- 22 NA, RG 22, vol. 18, file 75, Assistant Solicitor to Cory, 24 October 1930.
- 23 NA, RG 15, vol. 64, file 5601898, Memorandum to H.H. Rowatt, Legal Opinion, Summary, 25 August 1931.
- 24 Saskatchewan Archives Board, Department of the Interior, file 5584588, H.E. Hume and H.R. Daly to Rowatt, 1 October 1931.
- 25 NA, RG 15, vol. 65, 5601898, part 2, Draft Memorandum of Agreement between Dominion and Saskatchewan, August 1931; NA, RG 22, vol. 18, file 75, Draft Memorandum of Agreement between Dominion and Alberta, August 1931.
- 26 *Ibid.*
- 27 NA, RG 15, vol. 64, file 5601898, Transfer of Natural Resources, 5 June 1931.
- 28 *Ibid.*, Memorandum from the Commissioner of Dominion Lands to Gibson, Inventory of Resources to the Provinces, 17 March 1931.
- 29 NA, RG 15, vol. 2006, file 5672360, part 1, Crerar to Tanner, Minister of Lands and Mines, Alberta, 17 November 1942.
- 30 *Ibid.*, J.S. McDermaid, Mines Branch, Manitoba, to T.A. Crerar, 7 December 1942.
- 31 *Ibid.*, W.F. Kerr, Minister of Natural Resources, Saskatchewan, to Crerar, 30 December 1942.
- 32 *Ibid.*, R.A. Gibson to J.L. Turner, 6 January 1943.
- 33 *Ibid.*, unsigned letter, n.d., p. 2.
- 34 *Ibid.*, Lanctot to Camsell, 7 July 1943.
- 35 *Ibid.*
- 36 *Ibid.*, Camsell to Lanctot, 7 October 1943.
- 37 *Ibid.*, part 2, Memorandum, 12 January 1944.
- 38 *Ibid.*, Deputy Minister of Mines and Resources to P.W. Drake, Deputy Minister of Natural Resources, Saskatchewan, 17 January 1944.
- 39 NA, RG 15, vol. 2006, file 5672360, part 4, Cahoon to Cory, 6 October 1947.
- 40 *Ibid.*, Cahoon to Sinclair, 20 November 1950.
- 41 *Ibid.*, Memorandum, Cahoon to Sinclair, 29 August 1950.
- 42 NA, RG 85, vol. 1066, file 102-3-2, List of File Numbers of Files Destroyed — Mineral Claims (N.W.T.) Destroyed, Harris to Lacpélain, 6 November 1952.

- 43 NA, RG 15, vol. 2006, file 5672360, part 4, Robertson to Halliday, 3 December 1953.
- 44 Terry Cook, *Records of the Northern Affairs Program*, Ottawa. Federal Archives Division of the Public Archives of Canada, General Inventory Series, 1982, p. 25.
- 45 NA, RG 15, vol. 2006, file 5672360, part 4, Cahoon to Cory, 22 February 1947.
- 46 *Ibid.*, 20 May 1947.
- 47 Examples of the types of studies being produced are David Breen, *William Stewart Herron, Father of the Petroleum Industry of Alberta* (Calgary, 1984); David Breen, "Anglo-American Rivalry and the Evolution of Canadian Petroleum Policy to 1930," *Canadian Historical Review* 62, no. 3 (1981) and Barry Ferguson, *Athabasca Oil Sands: Northern Resource Exploration, 1875-1951* (Alberta, 1985).
- 48 Irene Spry and Bennett McCardle, "The Records of the Department of the Interior and Research Concerning Canada's Western Frontier of Settlement," Typescript, 1986.