

6253

W. W. CORY,
DEPUTY MINISTER
GIBSON,
ASSISTANT DEPUTY MINISTER



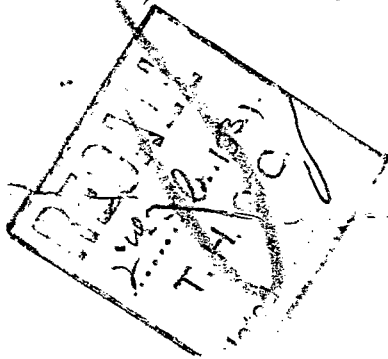
OFFICE OF

THE DEPUTY MINISTER OF THE INTERIOR
OTTAWA, CANADA

12.



R. ROSS



12th January, 1931.

Memorandum.-

Mr. C. C. Ross.

I herewith return your memorandum
of the 7th instant, your file No. 6253.

You will notice that I have
promised Dr. Scott, Deputy Superintendent General
of Indian Affairs, that you will call upon him to
discuss co-operation in the matter of the inspection
of coal mines.

Deputy Minister.

*Bring this
to my attention
in my office*

30 March - 31
R. J. L.

12.

9th January, 1931.

Dear Dr. Scott,-

I am sending you herewith a copy of a letter addressed to me by Mr. George B. Henwood, Deputy Attorney General of the Province of Alberta, regarding the death of an Indian, Mistaken Chief, as the result of an accident in a coal mine on the Blood Indian Reserve.

Our Supervisory Mining Engineer, Mr. C. C. Ross, who has just returned from the West, reports as follows:-

"The facts of the accident are in accordance with the report of the Provincial District Inspector of Mines to the coroner, dated 19th November, a copy of which was attached to the letter. The fatal accident occurred at a point on the left bank of the St. Mary's River opposite the south boundary of Section 18, Township 7, Range 21, West of the 4th Meridian, where a coal seam about 3'6" thick outcrops in the river bank beneath a cover some 21 feet thick, consisting of soft shale, gravel and clay.

"Mistaken Chief was engaged in mining coal at this point when, owing to lack of timber supports, the overlying deposits caved without warning. I attach a blue print showing the general location of coal mining in the vicinity. This same Indian had opened up a mine 40 feet further down the river and driven in on the coal a distance of about 35 feet by 12 to 15 feet wide, also without any timber. This working is unsafe and should be blown in so as to prevent anyone attempting to mine coal.

D. C. Scott, Esq., F.R.S.C., Litt.D.,
Deputy Superintendent General,
Dept. of Indian Affairs,
O t t a w a.

"Since....

- 2 -

"Since the accident the Indians associated with Mistaken Chief have left the area but it was reported that it is their intention to return as soon as they have overcome their grief and fear. The following Indians are at present engaged in mining coal on the left bank of the river: Nick King and White Feather at points marked "A" and "B", and Tom and Jack Blackhorse and Buckskin at points marked "C", "D" and "E".

"Mining has been carried on by the Indians in this vicinity for the past forty years, but in spite of the fact that some of them have worked in the Galt Mine and elsewhere, their knowledge of safety in mining is rudimentary. Further, there has been, and is, no control of mining on the Blood Indian Reserve, both as regards location of areas and mine workings. Explosives are used in improper ways and carelessly stored."

This information is passed along to you for the matter is one which related to your Department.

At the same time might I suggest that our Supervisory Mining Engineer's organization is prepared to extend to your Department the same co-operation in the matter of coal mining operations on Indian Reserves as already in effect with respect to oil and gas operations.

I have asked Mr. C. C. Ross, our Supervisory Mining Engineer, to call on you and discuss this with you.

Yours very truly,

Deputy Minister.

SUPERVISORY MINING ENGINEER
C. C. ROSS, B.Sc.

TGM/CMcD



PLEASE QUOTE

FILE...6253.....

Department of the Interior

SUPERVISORY MINING ENGINEER

OTTAWA

January 7, 1931.

Memorandum:

W. W. Cory, Esq., C.M.G.,
Deputy Minister,
Department of the Interior.

In accordance with your notation on a letter dated 24th November, 1930, from Mr. George B. Henwood, Deputy Attorney General of the Province of Alberta, regarding the death of an Indian, Mistaken Chief, as the result of an accident in a coal mine on the Blood Indian Reserve, I have investigated the matter and beg to report as follows:-

// The facts of the accident are in accordance with the report of the Provincial District Inspector of Mines to the coroner, dated 19th November, a copy of which was attached to the letter. The fatal accident occurred at a point on the left bank of the St. Mary's river opposite the south boundary of Section 18, Township 7, Range 21, West of the 4th Meridian, where a coal seam about 3'6" thick outcrops in the river bank beneath a cover some 21 feet thick, consisting of soft shale, gravel and clay.

Mistaken Chief was engaged in mining coal at this point when, owing to lack of timber supports, the overlying deposits caved without warning. I attach a blue print showing the general location of coal mining in the vicinity. This same Indian had opened up a mine 40 feet further down the river and driven in on the coal a distance of about 35 feet by 12 to 15 feet wide, also without any timber. This working is unsafe and should be blown in so as to prevent anyone attempting to mine coal.

Since the accident the Indians associated with Mistaken Chief have left the area but it was reported that it is their intention to return as soon as they have overcome their grief and fear. The following Indians are at present engaged in mining coal on the left bank of the river; Nick King and White Feather at points marked "A" and "B" and Tom and Jack Blackhorse and Buckskin at points marked "C", "D" and "E".

Mining has been carried on by the Indians in this vicinity for the past forty years, but in spite of the fact that some of them have worked

in.....

in the Galt Mine and elsewhere, their knowledge of safety in mining is rudimentary. Further, there has been, and is, no control of mining on the Blood Indian Reserve, both as regards location of areas and mine workings. Explosives are used in improper ways and carelessly stored. //

In my opinion, adequate supervision should be adopted over all coal mining operations in Indian Reserves without delay. For this purpose simple and suitable regulations should be drafted, and the Indians instructed so that they can mine coal with a maximum amount of safety and with due regard to economical working. Just as in the case of oil and gas the field supervision could very well be entrusted to this office, and if this meets with the approval of the Department of Indian Affairs I would suggest that immediate action be taken for the supervision of coal mining operations on all Indian Reserves. This could be discussed prior to my pending departure West, where I can give the matter the necessary attention and make the arrangements for the systematic inspection of the workings if the Department of Indian Affairs is agreeable to the supervision.

I append as exhibits five photographs illustrating the workings in question.

Paul H. Rose

IN YOUR REPLY PLEASE REFER TO

LE No.

Cor. 119.

ADDRESS REPLY
THE DEPUTY ATTORNEY GENERAL
EDMONTON, ALBERTA



GBH:GI

Edmonton, November 24th, 1930.

Dear Mr. Cory,-

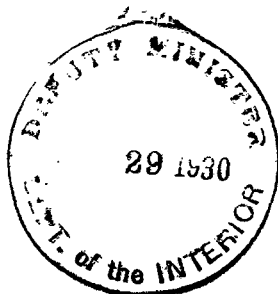
My attention has just been drawn to the death of an Indian - Mistaken Chief - living on the Blood Reserve near Lethbridge. This death was due to an accident in a coal mine on the Reserve, which might very easily have been avoided had proper precaution been taken.

I attach copy of report from District Inspector of Mines to Coroner in this connection.

It would occur to me that mines should not be permitted to operate on Indian Reserves without adequate supervision, and I would suggest the advisability of your having some investigation made.

Yours faithfully,

Deputy Attorney General.



W.W. Cory, Esq.,
Deputy Minister of the Interior,
OTTAWA, Ontario.



GOVERNMENT OF THE PROVINCE OF ALBERTA

File no.556

office of

DISTRICT INSPECTOR OF MINES

Lethbridge, Alberta.

November 19th, 1930.

J. W. McNichol, Esq.,
Bank of Commerce Building,
Lethbridge, Alberta.

Dear Sir:-

Having to-day, at your request, inspected the place where Mistaken Chief was killed, I beg to report as follows:

The place where the accident occurred is situated on The Blood Indian Reserve, on the West Bank of The St. Mary's River immediately opposite that part of L.S.1 Sec. 18-7-21-4 which is on the East side of the river.

At this point, a few feet above river level, a seam of coal outcrops and apparently this coal has been worked by the Indians for some time as a number of old workings can be seen. Mistaken Chief was engaged in mining this coal at the time of the accident. The seam of coal is approximately 3'-6" in thickness. It is overlain by a soft shale 5'-0" in thickness above which is 10 feet of gravel and clay and then 6 feet of clay and earth.

A face of coal 28' wide had been opened up and worked in for a total distance of about nine feet, and I would judge that this meant that the working face was about seven feet in underground. The overlying shale is very soft so that there is no solid rock over the coal and due to the fact that no timbers had been used to support the overlying strata they caved suddenly without warning, killing Mistaken Chief and very nearly catching another man who was with him at the time.

In my opinion the accident was primarily due to two things, lack of timber support and too great width of the excavation. Conditions of the underlying strata are such that I do not believe openings should be driven over 8' wide, at least until they are under more solid cover when it might be found that they could be widened somewhat with safety. All underground workings in such strata should be supported with sets of timber not more than three feet apart, each set consisting of two posts and one collar. Additional timbers should of course be set where roof conditions require.

I noticed another old excavation which had been driven in for a distance of about 35'. This was about twelve feet wide and was not supported by timber, and is, in my opinion unsafe due to it being too wide and untimbered. This place was just a little North of the place where the accident occurred.

I attach rough sketches of the places referred to above.

Your obedient servant

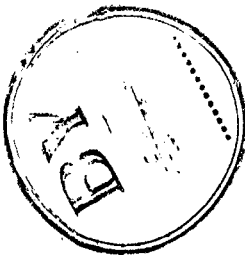
"J. B. deHart"

District Inspector of Mines.

J. W. McNichol,
Coroner.

TGM/CMoD

6253.



January 7, 1931.

Memorandum:

W. W. Cory, Esq., C.M.G.,
Deputy Minister,
Department of the Interior.

In accordance with your notation on a letter dated 24th November, 1930, from Mr. George B. Henwood, Deputy Attorney General of the Province of Alberta, regarding the death of an Indian, Mistaken Chief, as the result of an accident in a coal mine on the Blood Indian Reserve, I have investigated the matter and beg to report as follows:-

The facts of the accident are in accordance with the report of the Provincial District Inspector of Mines to the coroner, dated 19th November, a copy of which was attached to the letter. The fatal accident occurred at a point on the left bank of the St. Mary's river opposite the south boundary of Section 18, Township 7, Range 21, West of the 4th Meridian, where a coal seam about 3'6" thick outcrops in the river bank beneath a cover some 21 feet thick, consisting of soft shale, gravel and clay.

Mistaken Chief was engaged in mining coal at this point when, owing to lack of timber supports, the overlying deposits caved without warning. I attach a blue print showing the general location of coal mining in the vicinity. This same Indian had opened up a mine 40 feet further down the river and driven in on the coal a distance of about 35 feet by 12 to 15 feet wide, also without any timber. This working is unsafe and should be blown in so as to prevent anyone attempting to mine coal.

Since the accident the Indians associated with Mistaken Chief have left the area but it was reported that it is their intention to return as soon as they have overcome their grief and fear. The following Indians are at present engaged in mining coal on the left bank of the river; Nick King and White Feather at points marked "A" and "B" and Tom and Jack Blackhorse and Buckskin at points marked "C", "D" and "E".

Mining has been carried on by the Indians in this vicinity for the past forty years, but in spite of the fact that some of them have worked

in.....

- 2 -

in the Galt Mine and elsewhere, their knowledge of safety in mining is rudimentary. Further, there has been, and is, no control of mining on the Blood Indian Reserve, both as regards location of areas and mine workings. Explosives are used in improper ways and carelessly stored.

In my opinion, adequate supervision should be adopted over all coal mining operations in Indian Reserves without delay. For this purpose simple and suitable regulations should be drafted, and the Indians instructed so that they can mine coal with a maximum amount of safety and with due regard to economical working. Just as in the case of oil and gas the field supervision could very well be entrusted to this office, and if this meets with the approval of the Department of Indian Affairs I would suggest that immediate action be taken for the supervision of coal mining operations on all Indian Reserves. This could be discussed prior to my pending departure West, where I can give the matter the necessary attention and make the arrangements for the systematic inspection of the workings if the Department of Indian Affairs is agreeable to the supervision.

I append as exhibits five photographs illustrating the workings in question.



C. C. ROSS, B.Sc.,
SUPERVISORY MINING ENGINEER

TMS/N.



QUOTE FILE No. 6253

PLEASE ADDRESS ALL CORRESPONDENCE
TO THE SUPERVISORY MINING ENGINEER,
NOT TO INDIVIDUALS

DEPARTMENT OF THE INTERIOR
OFFICE OF THE SUPERVISORY MINING ENGINEER

IMMIGRATION BUILDING, Registration Division CALGARY, ALTA. DEC 27 1930 Territorial Mining Lands Service.

December 13th, 1930.

MEMORANDUM:

C. C. Ross, Esq., B.Sc.,
Supervisory Mining Engineer,
Calgary, Alberta.

In accordance with the Ottawa office letter of the 1st instant, enclosing copies of letters from the Deputy Attorney General, Alberta and the District Inspector of Mines, Lethbridge; all dealing with the accidental death of Mistaken Chief whilst mining coal on the Blood Indian Reserve, I made on the 9th and 10th instant an examination of this working and investigated general coal mining by Indians on the Blood Indian Reserve.

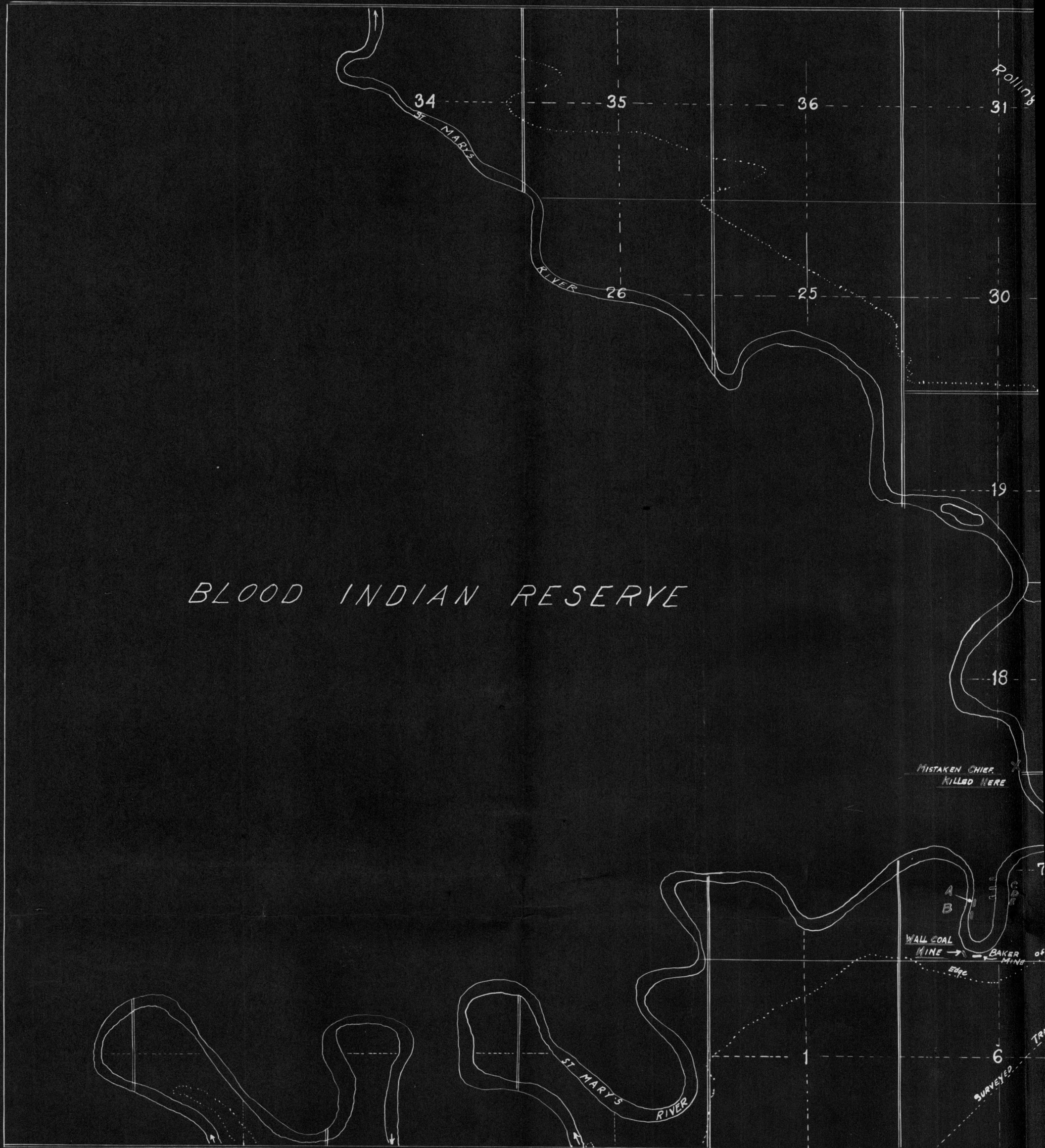
This fatal accident occurred at a point on the left bank of the St. Mary's River opposite the South boundary of Section 18, Township 7, Range 21, West of the 4th Meridian where a coal seam about 3' 6" outcrops in the river bank. The cover over the seam is about 21 feet and consists of soft shale, gravel and clay. Mistaken Chief was engaged in mining coal at this point when, owing to no timber supports being used, the overlying stratas caved without warning killing Mistaken Chief.

About 40 feet further down the river this same Indian had opened up a mine and driven in on the coal a distance of about 35 feet by 12 to 15 feet wide without any supporting timber. This latter place is unsafe and should be blown in so as to prevent anyone attempting to mine coal therefrom.

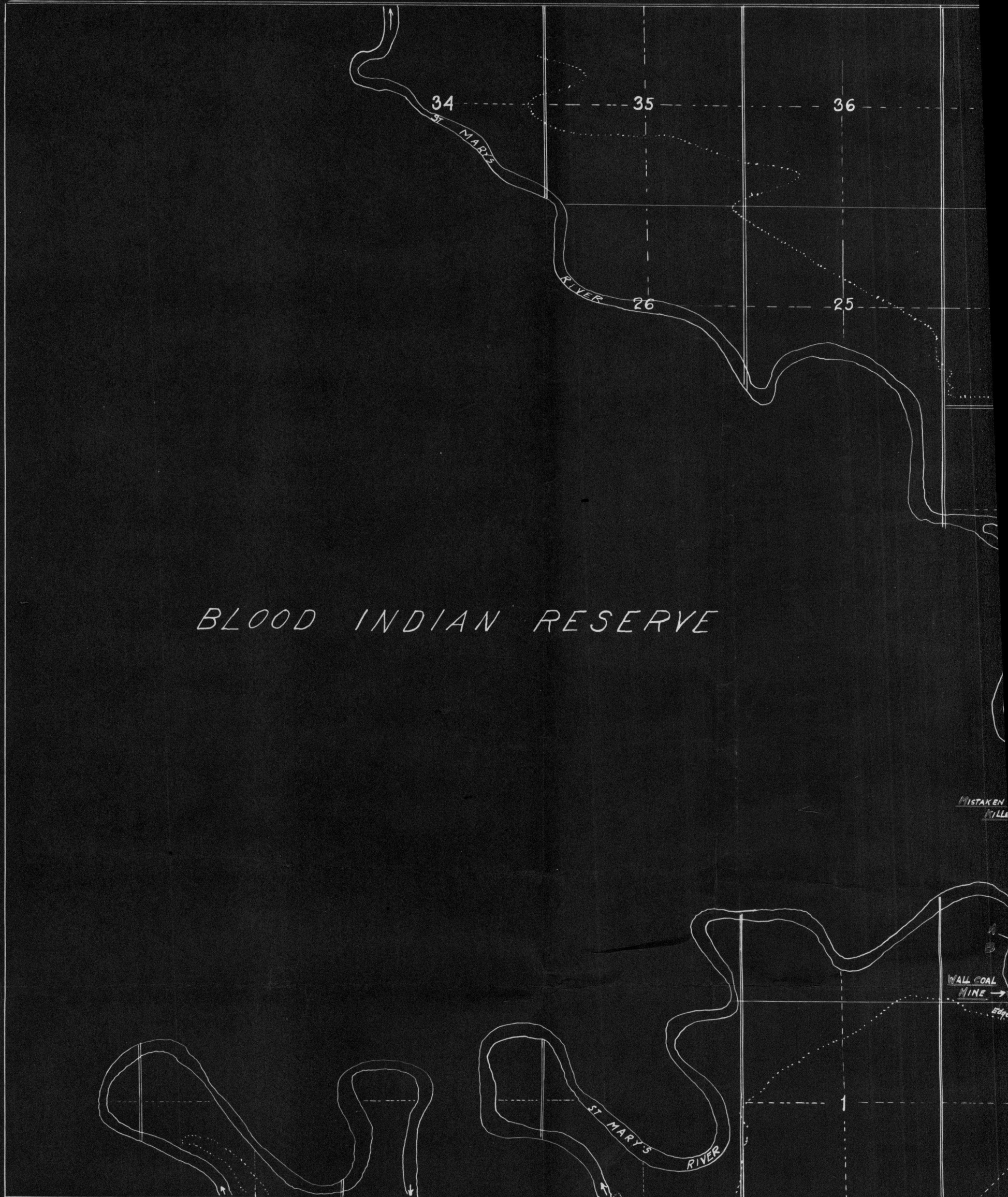
I attach a blue print showing the general location of coal mining in the vicinity of the accident. The following Indians are at present engaged in mining coal on the left bank of the river: Nick King and White Feather at points marked "A" and "B" and Tom and Jack Blackhorse and Buckskin at points marked "C", "D" and "E".

Since the fatal accident the Indians associated with Mistaken Chief left the area but it was reported that it is their intention to return as soon as they have overcome their grief and fear.

I attach -







MISTAKEN
HILL

WALL COAL
MINE

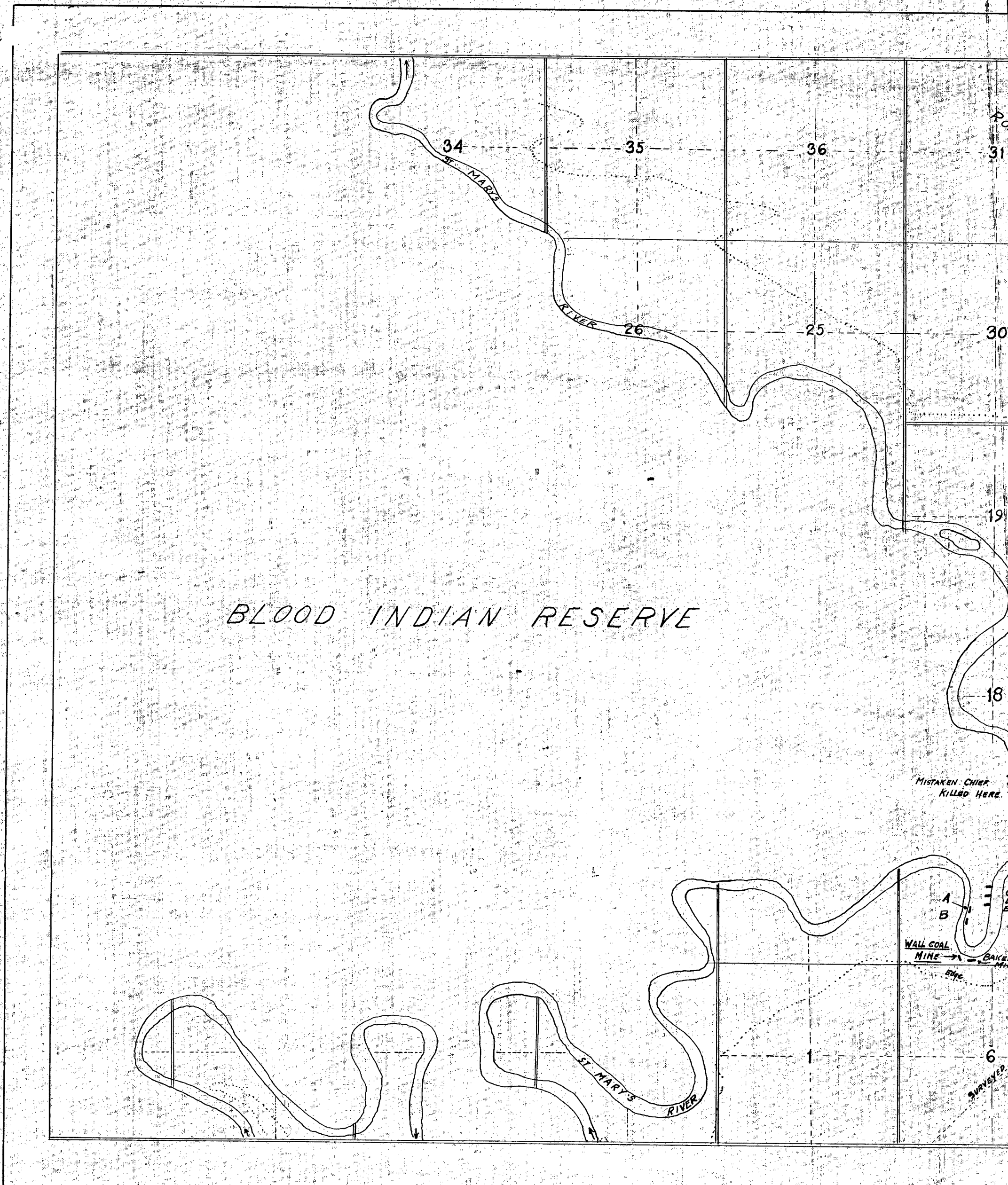
EDGE

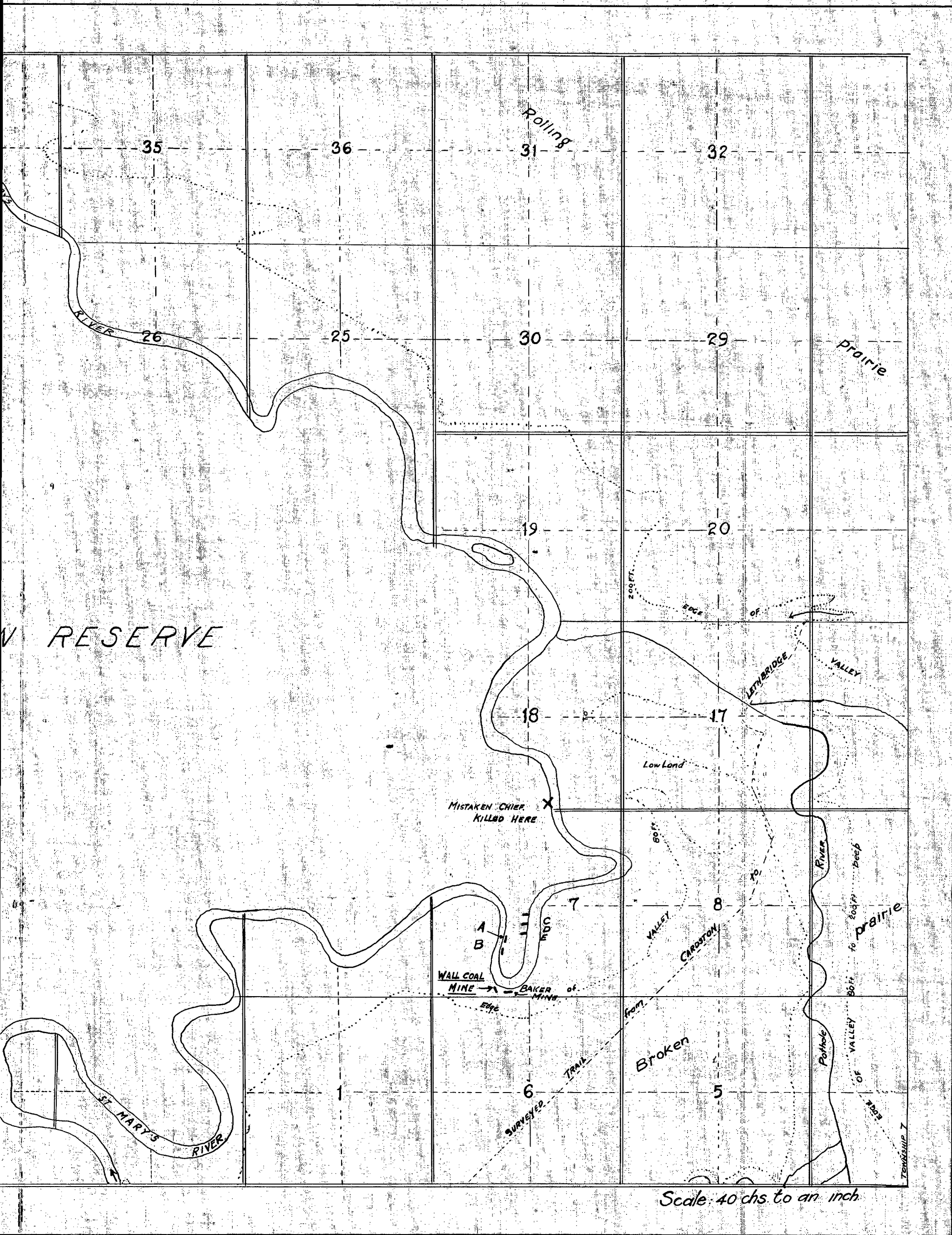
1



AN RESERVE

Scale: 40 chs to an inch





I attach photographs as follows:-



No. 1 - Working where Mistaken Chief was killed.



No. 2 - Mine previously driven by Mistaken Chief now in dangerous condition owing to lack of timber support.

No. 3 -

- 3 -



No. 3 - View showing location of workings of Nick King and White Feather at points marked "A" and "B" on plan.



No. 4 - View of Nick King, White Feather and teamster at entry to mine marked "A" on plan.

No. 5 -

- 4 -



No. 5 - View showing location of openings made by Tom and Jack Blackhorse and Buckskin.

Mining has been carried on by the Indians in this vicinity for the past forty years, - originally by one, Blackhorse, father of the operators of the openings shown in No. 5.

Tom Blackhorse and Nick King have worked previously in the Galt Mine and small waggon mines located in the Pothole Area, but in spite of this, their knowledge of sound mining practice and working methods is still very elementary.

I find that there has been, and is, an absolute lack of control of mining on the Blood Indian Reserve, both as regards location of areas and mine workings. In some cases I have found that an Indian has commenced mining operations and then has been followed by another Indian who has made a further opening only a very short distance from the original. The result has been that the two sets of workings have met and a general disagreement arisen.

In extracting the coal explosives are used - each Indian firing his own shot when and where the fancy takes him. At the mine operated by Nick King I found iron tamping bars and prickers in use. Explosive is not properly stored and generally the conditions with regard to the use and care of explosives are very irregular. In view of the fact that mining has been carried on for some time it is surprising that earlier accidents have not occurred.

It is strongly recommended that early action be taken to protect the Indians from further danger. It is suggested that a qualified white pit boss be engaged forthwith to superintend these mining operations and endeavour

to bring -

- 5 -

to bring these workings in line with good mining practice as far as possible.

I feel that this office might be of considerable assistance to the Agent on this Reserve by exercising a general supervision over coal mining on the Reserve, both with regard to the allotment of areas to individual Indians and in the conduct of underground mining operations. No doubt this opinion might also apply to other Indian Reserves where coal mining is being conducted.

Two local wagon mines are being operated in close proximity to the Indian workings, on Provincial lands, known as the Wall and Baker Mines - the latter being worked by Italian miners, the former by Mr. Wm. Gibson, formerly one of the junior mining officials at the Diamond Consolidated Collieries near Lethbridge.

If the services of Mr. Gibson are available, it is suggested that he be employed temporarily to act as overman and instructor to the Indians engaged in mining coal in this vicinity. This man would be in a position to make daily visits to each mine and generally advise the Indians in their mining operations, as well as regulate shot firing and the use and care of explosives. Although I had an interview with Mr. Gibson I did not approach him in this matter, but it is suggested that as he is at present living in the vicinity, is qualified, and appears to be the right type to undertake this work, that steps be taken to engage his services for the balance of the mining season.

There do not appear to be any regulations governing the mining of coal on Indian Reserves, and my investigation in this case would point to the desirability of such regulations being adopted and enforced, both with regard to the allocation of mining locations and the actual mining operations.

If it is the desire of the Department to introduce such regulations, this office might be of assistance to the Agent of the Blood Indian Reserve in drafting the suggested regulations.



F. M. STEEL

Petroleum Engineer.

RANGE 22

Rolling
31

34

35

36

ST. MARYS

RIVER

26

25

30

19

BLOOD INDIAN RESERVE

18

Mistaken Chief
killed here

7

A
B

Wall Coal
Mine

Baker Mine

EDGE

ST. MARYS

RIVER

1

6

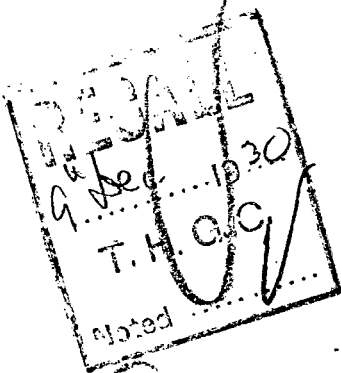
Surveyed

Trail

000022



THCC/GS



December 1st, 1930.

Dear Sir:

Enclosed herewith please find copy of a report of a fatal accident which occurred in a mine in the Blood Indian Reserve near Lethbridge, also a copy of a letter from the Deputy Attorney General of Alberta.

As the Deputy Minister has asked for a report on this, will you please forward your remarks at your earliest convenience.

Yours very truly,

A handwritten signature in cursive script, appearing to read 'T.H.C.C.', followed by a horizontal line.

C.C. Ross, Esq., B.Sc.,
Supervisory Mining Engineer,
Room #2, Immigration Bldg.,
Calgary, Alberta.

DEPARTMENT OF ATTORNEY GENERAL

ALBERTA

Mr.C.C. Ross
for Report
W.W.C.

Edmonton, November 24th, 1930.

Dear Mr. Cory,-

My attention has just been drawn to the death of an Indian - Mistaken Chief - living on the Blood Reserve near Lethbridge. This death was due to an accident in a coal mine on the Reserve, which might very easily have been avoided had proper precaution been taken.

I attach copy of report from District Inspector of Mines to Coroner in this connection.

It would occur to me that mines should not be permitted to operate on Indian Reserves without adequate supervision, and I would suggest the advisability of your having some investigation made.

Yours faithfully,

Geo. G. Henwood.

Deputy Attorney General.

W. V. Cory, Esq.,
Deputy Minister of the Interior,
Ottawa, Ontario

GOVERNMENT OF THE PROVINCE OF ALBERTA

File No. 556.

office of
District Inspector Mines
Lethbridge, Alberta.

November 19th, 1930.

J. W. McNichel, Esq.,
Bank of Commerce Building,
Lethbridge, Alberta.

Dear Sir:

Having to-day, at your request, inspected the place where Mistaken Chief was killed, I beg to report as follows:

The place where the accident occurred is situated on The Blood Indian Reserve, on the West bank of The St. Mary's River immediately opposite that part of L.S.1 Sec. 18-7-21-4 which is on the East side of the river.

At this point, a few feet above river level, a seam of coal outcrops and apparently this coal has been worked by the Indians for some time as a number of old workings can be seen. Mistaken Chief was engaged in mining this coal at the time of the accident. The seam of coal is approximately 3'-6" in thickness. It is overlain by a soft shale 5'-0" in thickness above which is 10 feet of gravel and clay and then 6 feet of clay and earth.

A face of coal 28' wide had been opened up and worked in for a total distance of about nine feet, and I would judge that this meant that the working face was about seven feet in underground. The overlying shale is very soft so that there is no solid rock over the coal and due to the fact that no timbers had been used to support the overlying strata they caved suddenly without warning killing Mistaken Chief and very nearly catching another man who was with him at the time.

In my opinion the accident was primarily due to two things, lack of timber support and too great width of the excavation. Conditions of the underlying strata are such that I do not believe openings should be driven over 8' wide, at least until they are under more solid cover when it might be found that they could be widened somewhat with safety. All underground workings in such strata should be supported with sets of timber not more than three feet apart, each set consisting of two posts and one collar. Additional timbers should of course be set where roof conditions require.

I noticed another old excavation which had been driven in for a distance of about 35'. This was about twelve feet wide and was not supported by timber, and is, in my opinion unsafe due to it being too wide and untimbered. This place was just a little North of the place where the accident occurred.

I attach rough sketches of the places referred to above.

Your obedient servant,

"J.B. deHart"

District Inspector of Mines.

J.W. McNichel,
Coroner.

D.M. Ref. 19398

DEPARTMENT OF ATTORNEY GENERAL

ALBERTA

Edmonton, November 24th, 1930.

Dear Mr. Cory,-

My attention has just been drawn to the death of an Indian - Mistaken Chief - living on the Blood Reserve near Lethbridge. This death was due to an accident in a coal mine on the Reserve, which might very easily have been avoided had proper precaution been taken.

I attach copy of report from District Inspector of Mines to Coroner in this connection.

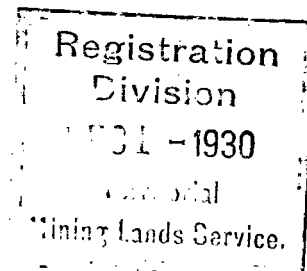
It would occur to me that mines should not be permitted to operate on Indian Reserves without adequate supervision, and I would suggest the advisability of your having some investigation made.

Yours faithfully,

Geo. G. Henwood.

Deputy Attorney General.

W. W. Cory, Esq.,
Deputy Minister of the Interior,
Ottawa, Ontario



GOVERNMENT OF THE PROVINCE OF ALBERTA

File No. 556.

office of

District Inspector Mines

Lethbridge, Alberta.

November 19th, 1930.

J. W. McNichol, Esq.,
Bank of Commerce Building,
Lethbridge, Alberta.

Dear Sir:

Having to-day, at your request, inspected the place where Mistaken Chief was killed, I beg to report as follows:

The place where the accident occurred is situated on The Blood Indian Reserve, on the West bank of The St. Mary's River immediately opposite that part of L.S.1 Sec. 18-7-21-4 which is on the East side of the river.

At this point, a few feet above river level, a seam of coal outcrops and apparently this coal has been worked by the Indians for some time as a number of old workings can be seen. Mistaken Chief was engaged in mining this coal at the time of the accident. The seam of coal is approximately 3'-6" in thickness. It is overlain by a soft shale 5'-0" in thickness above which is 10 feet of gravel and clay and then 6 feet of clay and earth.

A face of coal 28' wide had been opened up and worked in for a total distance of about nine feet, and I would judge that this meant that the working face was about seven feet in underground. The overlying shale is very soft so that there is no solid rock over the coal and due to the fact that no timbers had been used to support the overlying strata they caved suddenly without warning killing Mistaken Chief and very nearly catching another man who was with him at the time.

In my opinion the accident was primarily due to two things, lack of timber support and too great width of the excavation. Conditions of the underlying strata are such that I do not believe openings should be driven over 8' wide, at least until they are under more solid cover when it might be found that they could be widened somewhat with safety. All underground workings in such strata should be supported with sets of timber not more than three feet apart, each set consisting of two posts and one collar. Additional timbers should of course be set where roof conditions require.

I noticed another old excavation which had been driven in for a distance of about 35'. This was about twelve feet wide and was not supported by timber, and is, in my opinion unsafe due to it being too wide and untimbered. This place was just a little North of the place where the accident occurred.

I attach rough sketches of the places referred to above.

Your obedient servant,

"J.B. deHart"

District Inspector of Mines.

J.W. McNichol,
Coroner.

000028



VELVET PATCH
Pat. Pending

No. 6253

DEPARTMENT OF THE INTERIOR

SUBJECT: Alberta Attorney General

Correspondence of Nov. 1930 between

Attorney General of Alberta and

Mr. Cory re death in Coal Mines of

Indian known as "Mistaken Chief".

LEASE NO.

Blood Indian Reserve

Mistaken Chief

Attorney General of Alberta

Accident in Coal Mine

Indian Affairs Dept.

TERRITORIAL MINING LANDS SERVICE