

VICTORIA LAND OFFICE,  
April 27th, 1861.

Sir :

I beg leave to appeal to your Excellency under the following circumstances, that, pending the decision of Her Majesty's Privy Council as to the ownership of the town site of Victoria, officers of the Hudson Bay Company continue to subdivide and sell the same, and manage the entire estate for the sole benefit and without reference to public convenience, in relation to thoroughfares, size of lots, wharfage, and reserves.

I would submit that, if pending such decision, officers of either party to the suit referred to, have a right to act so rather than those of the other it must be officers of the Crown, since they claim no personal pecuniary advantages from such sales, and are therefore, it may be presumed, better qualified to administrate the estate for the public benefit.

Under these circumstances I very respectfully suggest that your Excellency will be pleased to empower me to apply to the Supreme Court here through the Attorney General, for an injunction to stop further sales of town lots in the said town site by the Hudson's Bay Company pending such decision, unless under the disinterested supervision of a Receiver appointed by the Court as usual in such cases, or should the suggestion now made not meet with your Excellency's approval that your Excellency will be pleased to say what course of action, if any, I am now in my official capacity to take in the matter.

I have, &c.,  
J. D. PEMBERTON,  
Surveyor General.

His Excellency JAMES DOUGLAS, Esq.,  
Governor, &c.

ATTORNEY GENERAL'S OFFICE,  
April 27th, 1861.

Sir :

With reference to the letter of the Surveyor General I have no hesitation in saying for the information of His Excellency that his application can be at once complied with, should the facts be as he represents, *i.e.*, If the Hudson's Bay Company and Her Majesty's Government are at issue in the Privy Council upon the title to the land of the town site itself.

I am not aware that His Excellency is officially advised of such a circumstance, and I can hardly conceive that had such a question arisen His Excellency could have been kept in ignorance of it.

Her Majesty's Government seem, so far as the despatches have apprised His Excellency, to have declined to accede to certain claims to land beyond the town site, as, for instance, Uplands Farm, but I am not aware that His Excellency has been apprised of any claim made by Her Majesty's Government to the unsold portion of the town site other than those reserved for the purposes of Government.

As the Surveyor General has recently left England he may be aware of something disclosing a new feature in the question, so it may be that information with regard thereto may not have been brought within my knowledge; should either circumstance be the case I shall be happy at once to take the necessary steps.

I have, &c.,  
GEORGE HUNTER CARY,  
Acting Attorney General.

W. A. G. YOUNG, Esq.,  
Colonial Secretary, V. I.