

but they have been modified to the extent that Mr. de Courcy has been verbally and privately advised not to interfere in any way with citizens of the United States, and to act with all possible judgment, so as to prevent the possibility of any collision arising through any act of his. I must, however, add that the ordinary duties of a Magistrate are clearly defined, and that it is a matter beyond my power to alter or modify them. The commission of a Magistrate binds him to hear and determine all applications for protection and redress within his jurisdiction, and to order that justice may be done in the premises. A Magistrate has, therefore, no discretionary powers as to what cases he will hear, and he must, in all cases within his jurisdiction, endeavour to do justice without favour. I have great confidence in Mr. de Courcy's prudence and discretion, and I will instruct him to confer with the Senior Naval Officer at San Juan should any serious case arise in which co-operation might be necessary.

4. I fear, however, in my own mind, that, under existing circumstances, and with every care and prudence on our part, cases will eventually occur which must involve conflicts with the United States' authorities.

I have, &c.
(Signed) JAMES DOUGLAS.

Inclosure 7 in No. 46.

Mr. Young to Mr. de Courcy.

*Government House, Victoria, Vancouver's Island,
July 27, 1859.*

Sir,

WITH reference to my letter of the 23rd instant, acquainting you that his Excellency the Governor had been pleased to appoint you to be a Justice of the Peace and Stipendiary Magistrate for the District of San Juan, I have the honour now to communicate to you generally the nature of the principal duties you will have to perform:—

1. The Island of San Juan having been, and being still, considered and treated as part of Her Majesty's dominions, you will warn off all persons who may attempt to assert any rights of occupancy as against the British dominions in the Island of San Juan.

2. You will maintain the peace, and will hear and determine all cases that may be brought before you in your official capacity as Justice of the Peace, and that may be within the jurisdiction of that office.

3. You must, in particular, be most careful to avoid giving any occasion that might lead to acts of violence.

I have, &c.
(Signed) WILLIAM A. G. YOUNG.

Inclosure 8 in No. 46.

Rear-Admiral Baynes to Governor Douglas.

Sir,

"Ganges," Esquimalt Harbour, August 13, 1859.

WITH reference to your Excellency's communication to Captain Hornby, of the "Tribune," dated the 2nd instant, relative to your views of the occupation of the Island of San Juan by a Federal force of the United States, giving reasons why you deem it essential a British force should also be landed there, I must beg leave to differ with you as to the necessity which, in my opinion, after very mature deliberation, would, I am sure, be attended with the most mischievous consequences.

1. I do not consider that our claim to the sovereignty of the island would be in any way vitiated by our not having a force there, which must be decided by the agreement come to on the boundary line.