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GOVERNMENT GAZETTE  
EXTRAORDINARY.

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SATURDAY, JULY 15.

[1854.]

INDULGENCE OF THIRTY DAYS FOR RUSSIAN VESSELS TO DEPART.

PROCLAMATION

By His Excellency SIR CHARLES HOTHAM, Knight Commander of the most Honorable Military Order of the Bath, Lieutenant Governor of the Colony of Victoria and its Dependencies, &c., &c., &c.

WHEREAS by an Order of Her Majesty in Council of the seventh day of April last it was ordered,—

“That Russian merchant vessels which, at the time of the publication of this Order, should be in any ports or places in Her Majesty’s Indian territories, under the Government of the East India Company, or within any of Her Majesty’s foreign or colonial possessions, should be allowed thirty days from the time of the publication of this Order in such Indian territories, or foreign or colonial possession, for loading their cargoes and departing from such ports or places, and such Russian merchant vessels, if met at sea by any of Her Majesty’s ships, should be permitted to continue their voyage, if on examination of their papers it should appear that their cargoes were taken on board before the expiration of the above term: Provided that nothing herein contained should extend, or be taken to extend to Russian vessels having on board any officer in the military or naval service of the enemy, or any article prohibited or contraband of war, or any despatch of or to the Russian Government.”

And it was further ordered, “That any Russian merchant vessel which prior to the twentieth day of March now last past should have sailed from any foreign port, bound for any port or place in any of Her Majesty’s Indian territories or foreign or colonial possessions, should be permitted to enter such port or place, and to discharge her cargo, and afterwards forthwith to depart without molestation; and that any such vessel, if met at sea by any of Her Majesty’s ships, should be permitted to continue her voyage to any port not blockaded.”

And it was also ordered, “That all Governors, Officers, and authorities whom it may concern, in Her Majesty’s East Indian, foreign, and colonial possessions, are to give the necessary directions herein as to them respectively may appertain.”

Now I, the Lieutenant Governor of Victoria, as aforesaid, in pursuance of the said Order in Council, do hereby direct that any Russian merchant vessels which are now in any ports or places in the said Colony of Victoria and its Dependencies, shall be allowed thirty days from and after Monday, the *Seventeenth* day of July now current, inclusively, for loading their cargoes and departing from all such ports or places. And I hereby direct the Chief Port and Harbor Master to adopt all necessary measures herein; and I also direct and charge all persons in authority, and all Her Majesty’s faithful subjects, to aid and assist in giving effect to the said Order in Council.

Given under my Hand and the Seal of the Colony, at Melbourne, this fifteenth day of July, in the year of Our Lord One thousand eight hundred and fifty-four, and in the eighteenth year of Her Majesty’s Reign.

(L. S.)

CHA<sup>s</sup> HOTHAM.

By His Excellency’s Command,  
JOHN FOSTER.

GOD SAVE THE QUEEN!

*The Order in Council recited in the foregoing Proclamation is No. IX. postea.*  
No. 62.—JULY 15TH, 1854.—1.

Colonial Secretary's Office,  
Melbourne, 15th July, 1854.

**B**y direction of His Excellency the Lieutenant Governor the following documents have been published for the information and guidance of Her Majesty's subjects.

By His Excellency's Command,  
JOHN FOSTER.

*Her Majesty's Declarations, Proclamations, and Orders in Council with reference to the Commencement of Hostilities against the Emperor of All the Russias.*

I.—PROCLAMATION PROHIBITING THE EXPORTATION OF ARMS, STORES, &c.—18<sup>TH</sup> FEBRUARY, 1854.

BY THE QUEEN.—A PROCLAMATION.

VICTORIA R.

WHEREAS by the "*Customs Consolidation Act, 1853*," Section 150, certain goods may, by Proclamation or Order of Her Majesty in Council, be prohibited either to be exported or carried coastwise: and whereas we, by and with the advice of our Privy Council, deem it expedient and necessary to prohibit the goods hereinafter mentioned either to be exported or carried coastwise: We, by and with the advice aforesaid, do hereby order and direct, that from and after the date hereof, all arms, ammunition, and gunpowder, military and naval stores, and the following articles, being articles which we have judged capable of being converted into, or made useful in increasing the quantity of, military or naval stores, that is to say, marine engines, screw propellers, paddle wheels, cylinders, cranks, shafts, boilers, tubes for boilers, boiler plates, fire bars, and every article, or any other component part of an engine or boiler, or any article whatsoever, which is, can or may become applicable for the manufacture of marine machinery, shall be and the same are hereby prohibited either to be exported from the United Kingdom or carried coastwise.

Given at our Court at Buckingham Palace, this eighteenth day of February, in the year of Our Lord One thousand eight hundred and fifty-four, and in the seventeenth year of our Reign.

GOD SAVE THE QUEEN!

*See Order in Council No. XV. postea.*

II.—PROCLAMATION AGAINST THE FITTING OUT OR EQUIPPING VESSELS FOR WARLIKE PURPOSES.—9<sup>TH</sup> MARCH, 1854.

BY THE QUEEN.—A PROCLAMATION.

VICTORIA R.

WHEREAS by an Act of Parliament passed in the Fifty-ninth Year of the Reign of His late Majesty King George the Third, entitled "*An Act to prevent the enlisting or engagement of His Majesty's subjects to serve in foreign service, and the fitting out or equipping in His Majesty's dominions vessels for warlike purposes, without His Majesty's license*," it is amongst other things enacted, "*That if any person within any part of the United Kingdom, or in any part of His Majesty's dominions beyond the seas, shall, without the leave or license of His Majesty, His heirs or successors, for that purpose first had and obtained under the sign manual of His Majesty, His heirs or successors, or signified by Order in Council, or by Proclamation of His Majesty, His heirs or successors, equip, furnish, fit out, or arm, or attempt or endeavour to equip, furnish, fit out, or arm, or procure to be equipped, furnished, fitted out, or armed, or shall knowingly aid, assist, or be concerned in the equipping, furnishing, fitting out, or arming of any ship or vessel, with intent or in order that such ship or vessel shall be employed in the service of any foreign prince, state, or potentate, or of any foreign colony, province, or part of any province, or people, or of any person or persons exercising or assuming to exercise any powers of Government in or over any foreign state, colony, province, or part of any province, or people, as a transport or store ship, or with intent to cruise or commit hostilities against any prince, state, or potentate, or against the subjects or citizens of any prince, state, or potentate, or against the persons exercising or assuming to exercise the powers of Government in any colony, province, or part of any province or country, or against the inhabitants of any foreign colony, province, or part of any province or country, with whom His Majesty shall not then be at war, or shall, within the United Kingdom or any of His Majesty's dominions, or in any settlement, colony, territory, island, or place belonging or subject to His Majesty, issue or deliver any commission for any ship or vessel, to the intent that such ship or vessel shall be employed as aforesaid, every such person so offending shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof upon any information or indictment, be punished by fine and imprisonment, or either of them, at the discretion of the Court in which such offender shall be convicted, and every such ship or vessel, with the tackle, apparel, and furniture, together with all the materials, arms, ammunition, and stores which may belong to or be on board of any such ship or vessel, shall be forfeited.*" And whereas it has been represented to us that ships and vessels are being built in several places within the United Kingdom, and are being equipped, furnished, and fitted out especially with steam machinery, with intent that they shall be employed as aforesaid, without our Royal leave or license for that purpose first had or obtained or signified as aforesaid: We have therefore thought fit, by and with the advice of our Privy Council, to issue this our Royal Proclamation, warning all our subjects against

taking part in such proceedings, which we are determined to prevent and repress, and which cannot fail to bring upon the parties engaged in them the punishments which attend the violations of the laws.

Given at our Court at Buckingham Palace, this ninth day of March, in the year of Our Lord One thousand eight hundred and fifty-four, and in the seventeenth year of our Reign.

GOD SAVE THE QUEEN!

### III.—HER MAJESTY'S DECLARATION OF THE CAUSES OF WAR.—28<sup>TH</sup> MARCH, 1854.

It is with deep regret that Her Majesty announces the failure of her anxious and protracted endeavours to preserve for her people and for Europe the blessings of peace.

The unprovoked aggression of the Emperor of Russia against the Sublime Porte has been persisted in with such disregard of consequences, that after the rejection by the Emperor of Russia of terms which the Emperor of Austria, the Emperor of the French, and the King of Prussia, as well as Her Majesty, considered just and equitable, Her Majesty is compelled, by a sense of what is due to the honor of her Crown, to the interests of her people, and to the independence of the states of Europe, to come forward in defence of an ally whose territory is invaded and whose dignity and independence are assailed.

Her Majesty, in justification of the course she is about to pursue, refers to the transactions in which Her Majesty has been engaged.

The Emperor of Russia had some cause of complaint against the Sultan with reference to the settlement, which His Highness had sanctioned, of the conflicting claims of the Greek and Latin Churches to a portion of the Holy Places of Jerusalem and its neighbourhood. To the complaint of the Emperor of Russia on this head justice was done; and Her Majesty's Ambassador at Constantinople had the satisfaction of promoting an arrangement to which no exception was taken by the Russian Government.

But while the Russian Government repeatedly assured the Government of Her Majesty that the mission of Prince Menchikoff to Constantinople was exclusively directed to the settlement of the question of the Holy Places at Jerusalem, Prince Menchikoff himself pressed upon the Porte other demands of a far more serious and important character, the nature of which he in the first instance endeavoured, as far as possible, to conceal from Her Majesty's Ambassador. And these demands, thus studiously concealed, affected not the privileges of the Greek Church at Jerusalem, but the position of many millions of Turkish subjects in their relations to their Sovereign the Sultan.

These demands were rejected by the spontaneous decision of the Sublime Porte.

Two Assurances had been given to Her Majesty; one, that the mission of Prince Menchikoff only regarded the Holy Places; the other, that his mission would be of a conciliatory character.

In both respects Her Majesty's just expectations were disappointed.

Demands were made which, in the opinion of the Sultan, extended to the substitution of the Emperor of Russia's authority for his own over a large portion of his subjects; and those demands were enforced by a threat; and when Her Majesty learnt that, on announcing the termination of his mission, Prince Menchikoff declared that the refusal of his demands would impose upon the Imperial Government the necessity of seeking a guarantee by its own power, Her Majesty thought proper that her fleet should leave Malta, and, in co-operation with that of His Majesty the Emperor of the French, take up its station in the neighbourhood of the Dardanelles.

So long as the negotiation bore an amicable character, Her Majesty refrained from any demonstration of force. But when, in addition to the assemblage of large military forces on the frontier of Turkey, the Ambassador of Russia intimated that serious consequences would ensue from the refusal of the Sultan to comply with unwarrantable demands, Her Majesty deemed it right, in conjunction with the Emperor of the French, to give an unquestionable proof of her determination to support the Sovereign Rights of the Sultan.

The Russian Government has maintained that the determination of the Emperor to occupy the Principalities was taken in consequence of the advance of the fleets of England and France. But the menace of invasion of the Turkish territory was conveyed in Count Nesselrode's note to Rechid Pacha, of the 19<sup>th</sup> May, and re-stated in his despatch to Baron Brunnow, of the 29<sup>th</sup> Mar. <sup>1 June</sup>, which announced the determination of the Emperor of Russia to order his troops to occupy the Principalities, if the Porte did not within a week comply with the demands of Russia.

The despatch to Her Majesty's Ambassador, at Constantinople, authorizing him in certain specified contingencies to send for the British Fleet, was dated the 31st May, and the order sent direct from England to Her Majesty's Admiral to proceed to the neighbourhood of the Dardanelles, was dated the 2nd of June.

The determination to occupy the Principalities was therefore taken before the orders for the advance of the combined squadrons were given.

The Sultan's minister was informed, that unless he signed within a week, and without the change of a word, the note proposed to the Porte by Prince Menchikoff, on the eve of his departure from Constantinople, the Principalities of Moldavia and Wallachia would be occupied by Russian troops. The Sultan could not accede to so insulting a demand; but when the actual occupation of the Principalities took place, the Sultan did not, as he might have done in the exercise of his undoubted right, declare war, but addressed a protest to his allies.

Her Majesty, in conjunction with the Sovereigns of Austria, France, and Prussia, has made various attempts to meet any just demands of the Emperor of Russia, without affecting the dignity and independence of the Sultan; and had it been the sole object of Russia to obtain security for the enjoyment by the Christian subjects of the Porte of their privileges and immunities, she would have found it

in the offers that have been made by the Sultan. But as that security was not offered in the shape of a special and separate stipulation with Russia, it was rejected. Twice has this offer been made by the Sultan, and recommended by the Four Powers, once by a note originally prepared at Vienna, and subsequently modified by the Porte, once by the proposal of bases of negotiation agreed upon at Constantinople on the 31st of December, and approved at Vienna on the 13th of January, as offering to the two parties the means of arriving at an understanding in a becoming and honorable manner.

It is thus manifest that a right for Russia to interfere in the ordinary relations of Turkish subjects to their Sovereign, and not the happiness of Christian Communities in Turkey, was the object sought for by the Russian Government; to such demand the Sultan would not submit, and His Highness, in self-defence, declared War upon Russia; but Her Majesty nevertheless, in conjunction with her allies, has not ceased Her endeavours to restore peace between the contending parties.

The time has, however, now arrived when the advice and remonstrances of the Four Powers having proved wholly ineffectual, and the military preparations of Russia becoming daily more extended, it is but too obvious that the Emperor of Russia has entered upon a course of policy which, if unchecked, must lead to the destruction of the Ottoman Empire.

In this conjuncture, Her Majesty feels called upon by regard for an ally, the integrity and independence of whose Empire have been recognized as essential to the peace of Europe, by the sympathies of her people with right against wrong, by a desire to avert from her dominions most injurious consequences, and to save Europe from the preponderance of a Power which has violated the Faith of Treaties, and defies the opinion of the civilized World, to take up arms, in conjunction with the Emperor of the French, for the defence of the Sultan.

Her Majesty is persuaded that in so acting she will have the cordial support of her people; and that the pretext of zeal for the Christian religion will be used in vain to cover an aggression undertaken in disregard of its holy precepts and of its pure and beneficent spirit.

Her Majesty humbly trusts that her efforts may be successful, and that, by the blessing of Providence, peace may be re-established on safe and solid foundations.

Westminster, March 28, 1854.

#### IV.—DECLARATION OF HER MAJESTY WITH REFERENCE TO NEUTRALS AND LETTERS OF MARQUE.—28TH MARCH, 1854.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, having been compelled to take up arms in support of an ally, is desirous of rendering the war as little onerous as possible to the powers with whom she remains at peace.

To preserve the commerce of neutrals from all unnecessary obstruction, Her Majesty is willing, for the present, to waive a part of the belligerent rights appertaining to her by the Law of Nations.

It is impossible for Her Majesty to forego the exercise of her right of seizing articles contraband of war, and of preventing neutrals from bearing the enemy's despatches, and she must maintain the right of a belligerent to prevent neutrals from breaking any effective blockade which may be established with an adequate force against the enemy's forts, harbors, or coasts.

But Her Majesty will waive the right of seizing enemy's property laden on board a neutral vessel, unless it be contraband of war.

It is not Her Majesty's intention to claim the confiscation of neutral property, not being contraband of war, found on board enemy's ships; and Her Majesty further declares, that being anxious to lessen as much as possible the evils of war, and to restrict its operations to the regularly organized forces of the country, it is not her present intention to issue Letters of Marque for the commissioning of Privateers.

Westminster, March 28, 1854.

#### V.—ORDER IN COUNCIL GRANTING GENERAL REPRISALS AGAINST RUSSIA.

At the Court at Buckingham Palace, the 29th day of March, 1854. Present—The Queen's Most Excellent Majesty in Council.

HER Majesty having determined to afford active assistance to her ally, His Highness the Sultan of the Ottoman Empire, for the protection of his dominions against the encroachments and unprovoked aggression of His Imperial Majesty the Emperor of All the Russias, Her Majesty therefore is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, that general Reprisals be granted against the ships, vessels, and goods of the Emperor of All the Russias, and of his subjects or others inhabiting within any of his countries, territories, or dominions, so that Her Majesty's fleets and ships shall and may lawfully seize all ships, vessels, and goods belonging to the Emperor of All the Russias, or his subjects, or others inhabiting within any of his countries, territories, or dominions, and bring the same to judgment in such Courts of Admiralty within Her Majesty's Dominions, Possessions, or Colonies as shall be duly commissioned to take cognizance thereof. And to that end Her Majesty's Advocate General, with the Advocate of Her Majesty in Her Office of Admiralty, are forthwith to prepare the Draft of a Commission, and present the same to Her Majesty at this Board, authorizing the Commissioners for executing the Office of Lord High Admiral to will and require the High Court of Admiralty of England, and the Lieutenant and Judge of the said Court, his Surrogate or Surrogates, as also the several Courts of Admiralty within Her Majesty's dominions which shall be duly commissioned, to take cognizance of, and judicially proceed upon, all and all manner of captures, seizures, prizes, and reprisals of ships, vessels, and goods that are or shall be taken, and to hear and determine the same; and, according to the course of Admiralty and the Law of Nations to adjudge and condemn all such ships, vessels, and goods as shall belong to the Emperor of

All the Russias, or his subjects, or to any others inhabiting within any of his countries, territories, or dominions; and they are likewise to prepare and lay before Her Majesty, at this Board, a Draft of such Instructions as may be proper to be sent to the said several Courts of Admiralty in Her Majesty's Dominions, Possessions, and Colonies, for their guidance herein.

From the Court at Buckingham Palace, this twenty-ninth day of March, One thousand eight hundred and fifty-four.

CRANWORTH, C.  
GRANVILLE, P.  
ARGYLE, C. P. S.  
NEWCASTLE.  
BREADALBANE.  
LANSDOWNE.  
ABERCORN.  
ABERDEEN.  
CLARENDON.  
DRUMLANRIG.  
MULGRAVE.  
J. RUSSELL.  
ERNEST BRUCE.  
SIDNEY HERBERT.  
J. R. G. GRAHAM.  
STEPHEN LUSHINGTON.  
W. E. GLADSTONE.  
WILLIAM MOLESWORTH.

VI.—ORDER IN COUNCIL FOR PREVENTING VESSELS CLEARING OUT FOR RUSSIA, AND ORDERING A GENERAL EMBARGO OR STOP OF RUSSIAN VESSELS.

At the Court at Buckingham Palace, the 29th day of March, 1854. Present—The Queen's Most Excellent Majesty in Council.

It is this day ordered by Her Majesty, by and with the advice of Her Privy Council, that no ships or vessels belonging to any of Her Majesty's subjects be permitted to enter and clear out for any of the ports of Russia, until further order; and Her Majesty is further pleased to order, that a general embargo or stop be made of all Russian ships and vessels whatsoever, now within or which shall hereafter come into any of the ports, harbors, or roads within any of Her Majesty's dominions, together with all persons and effects on board the said ships or vessels: Provided always, that nothing herein contained shall extend to any ships or vessels specified or comprised in a certain order of Her Majesty in Council, dated this twenty-ninth day of March, for exempting from capture or detention Russian vessels under special circumstances; and Her Majesty is pleased further to order, and it is hereby ordered, that the utmost care be taken for the preservation of all and every part of the cargoes on board any of the said ships or vessels, so that no damage or embezzlement whatever be sustained.

And the Right Honorable the Lords Commissioners of Her Majesty's Treasury, the Lords Commissioners of the Admiralty, and the Lord Warden of the Cinque Ports are to give the necessary directions herein as to them may respectively appertain.

C. C. GREVILLE.

VII.—ORDER IN COUNCIL FOR EXEMPTING FROM CAPTURE OR DETENTION RUSSIAN VESSELS UNDER SPECIAL CIRCUMSTANCES.

At the Court at Buckingham Palace, the 29th day of March, 1854. Present—The Queen's Most Excellent Majesty in Council.

Her Majesty, being compelled to declare war against His Imperial Majesty the Emperor of All the Russias, and being desirous to lessen as much as possible the evils thereof, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, that Russian merchant vessels, in any ports or places within Her Majesty's dominions, shall be allowed until the tenth day of May next, six weeks from the date hereof, for loading their cargoes and departing from such ports or places; and that such Russian merchant vessels, if met at sea by any of Her Majesty's ships, shall be permitted to continue their voyage, if on examination of their papers it shall appear that their cargoes were taken on board before the expiration of the above term: Provided that nothing herein contained shall extend or be taken to extend to Russian vessels having on board any officer in the military or naval service of the enemy, or any article prohibited or contraband of war, or any despatch of or to the Russian Government.

And it is hereby further ordered by Her Majesty, by and with the advice of Her Privy Council as aforesaid, that any Russian merchant vessel which, prior to the date of this order, shall have sailed from any foreign port bound for any port or place in Her Majesty's dominions, shall be permitted to enter such port or place and to discharge her cargo, and afterwards forthwith to depart without molestation, and that any such vessel, if met at sea by any of Her Majesty's ships, shall be permitted to continue her voyage to any port not blockaded.

And the Right Honorable the Lords Commissioners of Her Majesty's Treasury, the Lords Commissioners of the Admiralty, and the Lord Warden of the Cinque Ports, are to give the necessary directions herein as to them may respectively appertain.

C. C. GREVILLE.

*See Orders in Council, Nos. IX. and XIII., postea.*

VIII.—PROCLAMATION REGULATING THE DISTRIBUTION OF CAPTURES MADE BY HER MAJESTY'S FLEETS, ETC., ACTING WITH ANY ALLIED FLEET.—29<sup>TH</sup> MARCH, 1854.

BY THE QUEEN.—A PROCLAMATION.

VICTORIA R.

WHEREAS, by Our Order in Council bearing date the twenty-ninth day of March, One thousand eight hundred and fifty-four, we have ordered that general Reprisals be granted against the ships, goods, and subjects of the Emperor of All the Russias, his subjects or others inhabiting within any of his countries, territories, or dominions (save and except any vessels to which our license has been or may be granted, or which have been directed to be released from the embargo, and have not since arrived at any foreign port), so that our fleets and ships shall and may lawfully seize all ships, vessels, and goods belonging to the Emperor of All the Russias, or his subjects, or others inhabiting within any of his countries, territories, or dominions, and bring the same to judgment in any of the Courts of the Admiralty within our dominions duly authorized and required to take cognizance thereof, We do hereby order and direct that the net produce of all such prizes taken by any of our ships or vessels of war (save and except when they shall be acting on any conjunct expedition with our army, in which case we reserve to ourselves the division and distribution of all prize and booty taken, and also save and except as hereinafter mentioned), shall be for the entire benefit and encouragement of our flag officers, captains, commanders, and other commissioned officers in our pay, and of all subordinate, warrant, petty, and non-commissioned officers, and of the seamen, marines, and soldiers on board our said ships and vessels at the time of the capture, after the same shall have been to us finally adjudged lawful prize.

Whenever any prize shall be taken by any of our fleets, squadrons, ships, or vessels of war whilst acting in conjunction with any fleets, squadrons, ships, or vessels of war belonging to any other power or powers in alliance with us, our High Court of Admiralty, or the Vice Admiralty Court within our dominions adjudicating thereon, shall apportion to such ally or allies a share or shares of the proceeds of such prize or prizes proportionate to the number of officers and men, &c., present and employed on the part of such ally or allies as compared with the number of officers and men, &c., present and employed on our behalf in such capture or captures, without reference to their respective ranks, and the share or shares so set apart for such ally or allies shall be transmitted to such persons as may be duly authorized on behalf of such ally or allies to receive the same.

Ships or vessels, being in sight of the prize, as also of the captor, under circumstances to cause intimidation to the enemy and encouragement to the captor, shall be alone entitled to share as joint captors.

After having deducted the portion set apart as aforesaid for our allies, a distribution, so far as regards Her Majesty's forces, shall be as follows:—The flag officer or officers shall have one-twentieth part of the whole net proceeds arising from prizes captured from the enemy by any of the ships or vessels under his or their command, and of the rewards conferred for the same, according to the following conditions and modifications, save and except as hereinafter provided and directed; that is to say—

When there is but one flag officer he shall have the entire one-twentieth part; when two flag officers shall be sharing together, the chief shall have two-thirds, and the other flag officer shall have the remaining one-third of the one-twentieth part; and when there shall be more than two flag officers, the chief shall have one-half of the said one-twentieth part, and the remaining half shall be equally divided among the junior flag officers; commodores of the first class and captains of the fleet to share as flag officers: Provided always, that no flag officer, unless actually on board any of our ships or vessels of war, and at the actual taking, sinking, burning, or otherwise destroying any ship or ships of war, privateer or privateers, belonging to the enemy, shall share in the distribution of any head money or bounty money granted as a reward for taking, sinking, burning, or otherwise destroying any such ship or vessel of the enemy.

That no flag officer commanding in any port in the United Kingdom shall share in the proceeds of any prize captured from the enemy by any ship or vessel which shall sail from or leave such port by order of the Lord High Admiral, or of our Commissioners for executing the office of Lord High Admiral.

That when ships or vessels under the command of several flag officers belonging to separate stations shall be joint captors, each flag officer shall receive a proportion of the one-twentieth part, according to the number of officers and men present under the command of each such flag officer; and when any ship or vessel under orders from the Lord High Admiral, or from our Commissioners for executing the office of Lord High Admiral, are joint captors with other ships or vessels under a flag or flags, the like regulations as to the apportionment of the flag share to the flag officer or officers are to be observed.

With reference to flag officers, it is to be noted,

That when an inferior flag officer is sent to reinforce a superior officer on any station, the superior flag officer shall not share in any prize taken by the inferior flag officer before he has arrived within the limits of that station, unless the inferior officer shall have received some order directly from and shall be acting in execution of some order issued by such superior flag officer.

No chief flag officer quitting any station, except upon some definite urgent service, and with the intention of returning to the station as soon as such service is performed, shall share in any prize taken by our ships or vessels left behind after he has passed the limits of the station, or after he has surrendered the command to another flag officer appointed by the Admiralty to command in chief upon such station.

- An inferior flag officer quitting any station (except when detached by orders from his commander-in-chief upon a special service, accompanied with orders to return to such station so soon as the service has been performed) shall have no share in the prizes taken by the ships and vessels remaining on the station after he has passed the limits thereof.
- In like manner flag officers remaining on such station shall not share in the prizes taken by such inferior officer, or by ships or vessels under his immediate command, after he has quitted the limits of the station, except he has been detached as aforesaid.
- A commander-in-chief or other flag officer belonging to any station shall not share in any prize or prizes taken out of the limits of that station by any ship or vessel under the command of a flag officer of any other station, or under orders from our Commissioners of the Admiralty, unless such commander-in-chief or flag officer is expressly authorized by our said Commissioners to take the command of that station in which the prize or prizes is or are taken, and shall actually have taken upon him such command.
- Every commodore having a captain under him shall be esteemed a flag officer with respect to the twentieth part of prizes taken, whether he be commanding in chief or serving under command.
- The first captain to the admiral and commander-in-chief of our fleet and also the first captain to any flag officer appointed to command a fleet of ten ships of the line or upwards, shall be deemed to be a flag officer for the purpose of sharing in prize, and shall be entitled to share therein as the junior flag officer of such fleet.
- Any officer on board any of our ships of war at the time of capturing any prize or prizes who shall have more commissions than one, shall be entitled only to share in such prize or prizes according to the share allotted to him by the above-mentioned distribution in respect to his superior commission or office.

And with reference to other officers it is to be noted, that a captain, commander, or other commanding officer of a ship or vessel shall be deemed to be under the command of a flag when he shall have received some order from, or be acting in the execution of some order issued by, a flag officer, whether he be or be not within the limits of the station of such flag officer; and in the event of his being directed to join a flag officer on any station, he shall be deemed to be under the command of such flag officer from the time when he arrives within the limits of the station, which circumstance is always to be carefully noted in the log book; and it shall be considered that he continues under the flag officer of such station until he shall have received some order directly from, or be acting in the execution of some order issued by, some other flag officer, duly authorized, or by the Lord High Admiral, or our commissioners for executing the office of Lord High Admiral.

And we hereby direct, That the captain, commander, lieutenant commanding, master commanding, or any other officer duly commanding any ship, sloop, or vessel of war singly taking any prize from the enemy, that is to say, the officer actually in command at the time, shall have one-eighth of the remainder, or if there is no flag one-eighth of the entire net proceeds, except that if the single capturing ship be a rated ship having a commander under the captain the commander shall take a portion of the one-eighth part as if he were commander of a sloop, according to the proportion hereinafter set forth; and if more than one commanding officer of the same rank of command shall be entitled to share as joint captors, the one-eighth shall be equally divided between them; but when captains, commanders, lieutenants commanding, and masters commanding, respectively, our ships and vessels of war, and commanders under captains in rated ships, shall share together, in whatever variety of combination, the one-eighth shall be so divided into parts for a graduated apportionment as to provide for each captain receiving six parts; each commander of a sloop, or commander under a captain in a rated ship, three parts; and each lieutenant commanding, or master commanding, or other officer actually commanding a small vessel of war, two parts; which we hereby direct shall be the proportion in which they shall respectively share; commodores of the second class, and field officers of marines or of land forces serving as marines, doing duty as field officers, above the rank of major, to share as captains, and field officers of marines or of land forces serving as marines and doing duty in the rank of major, to share as commanders of sloops.

And we further direct, that after provision shall thus have been made for the flag share (if any), and for the portion of the commanding officer or officers and others as above specified, the remainder of the net proceeds shall be distributed in ten classes, so that each officer, man, and boy composing the rest of the complements of our ships, sloops, and vessels of war, and actually on board at the time of any such capture, and every person present and assisting, shall receive shares or a share according to his class, as set forth in the following scale:—

- First class: Master of the fleet, inspector of steam machinery afloat when embarked with a fleet, medical inspector or deputy medical inspector when embarked with a fleet, forty-five shares each.
- Second class: Senior lieutenant of a rated ship, not bearing a commander under the captain, secretary to the admiral of the fleet or admiral commanding in chief, thirty-five shares each.
- Third class: Sea lieutenant, master, captain of marines, of marine artillery, or of land forces doing duty as marines, whether having higher brevet rank or not, secretary to an admiral or to a commodore of the first class not commanding in chief, chief engineer, twenty-eight shares each.
- Fourth class: Lieutenant or quarter master of marines, lieutenant of marine artillery, lieutenant, quarter master or ensign of land forces doing duty as marines, secretary to a commodore of the second class, chaplain, surgeon, paymaster, naval instructor, mate, assistant surgeon, second master, clerk in charge, passed clerk, assistant engineer, gunner, boatswain, carpenter, eighteen shares each.

- Fifth class: Midshipman, master's assistant, pilot, clerk (not passed), master at arms, chief gunner's mate, chief boatswain's mate, chief carpenter's mate, chief captain of the forecastle, admiral's coxswain, chief quarter master, seamen's schoolmaster, ship's steward, ship's cook, ten shares each.
- Sixth class: Naval cadet, clerk's assistant, captain's coxswain, ship's corporal, quarter master, gunner's mate, boatswain's mate, captain of the forecastle, captain of the afterguard, captain of the hold, captain of the main top, captain of the fore top, coxswain of the launch, sailmaker, ropemaker, caulker, leading stoker, blacksmith, serjeant of marines, of marine artillery, or of land forces doing duty as marines, nine shares each.
- Seventh class: Captain of the mast, captain of the mizen top, yeoman of the signals, coxswain of the barge, coxswain of the pinnace, coxswain of the cutter, second captain of the forecastle, second captain of the main top, second captain of the fore top, second captain of the afterguard, sailmaker's mate, caulker's mate, musician, cooper, armourer, corporal of marines or of land forces doing duty as marines, bombardier of artillery, head krooman, six shares each.
- Eighth class: Leading seamen, shipwright, second captain of the hold, able seaman, carpenter's crew, sailmaker's crew, cooper's crew, armourer's crew, yeomen of the store rooms, steward's assistant, ordinary seamen, blacksmith's mate, private and fifer of marines or of land forces doing duty as marines, gunner of marine artillery, painter, stoker, coal trimmer, second head krooman, sick berth attendant, bandsman, tailor, butcher, three shares each.
- Ninth class: Cook's mate, ship's steward's boy, admiral's domestic, superintendent's domestic, admiral's steward and cook, captain's steward and cook, ward room and gun room steward and cook, subordinate officers' steward and cook, commander's servant, secretary's servant, second class ordinary seamen, assistant stoker, barber, boy of the first class, first and second class krooman, supernumeraries, except as hereinafter provided, persons borne merely as passengers and not declining to render assistance on occasion of capture, two shares each.
- Tenth class: Boy below first class, one share.

All supernumeraries holding ranks in the service above the ranks or ratings specified in the fifth class of this our Proclamation, who have been ordered to do duty in any of our ships or vessels by the Lord High Admiral, or by our Commissioners for executing the office of Lord High Admiral, by the senior officer of the fleet or squadron, or if none senior, then by the captain or commanding officer of the capturing ship or vessel, if not by special authority employed in higher capacities, shall share according to the rank which they respectively hold in the service; but in all cases, to qualify them for so sharing, and not merely as supernumeraries in the ninth class, due notation of their being thus respectively ordered to do duty must have been made on the Muster Books.

And with respect to supernumeraries of ratings in the service below the denominations of those specified in the fourth class of this our Proclamation, and who at full victuals are engaged in the ordinary duties of the ship, it is our will and pleasure that they shall always share according to the ratings which they bear in the service.

And in order that our royal intentions herein may be duly carried into effect, we further direct, that when any capture is made from the enemy, the captains or commanding officers of our ships or vessels of war making the same shall transmit, or cause to be transmitted, as soon as may be, to the Secretary to the Admiralty, a true and perfect list of all the officers, seamen and marines, soldiers, and others, who were actually on board on the occasion, accompanied by a separate list containing the names of those belonging to the crew who were absent on duty or otherwise at the time, specifying the cause of such absence, each list to contain the quality of the service of each person, together with the respective descriptions of men taken from the Description Book of the ship or vessel, and their several ratings, to be subscribed by the captain or commanding officer, and three or four more of the chief officers on board.

And when the list of those actually on board, and the separate list of persons absent though belonging to the ship or vessel, shall have been verified on examination with the Muster Books lodged as official records, the Accountant General of our navy shall, upon request, grant to the agent or agents nominated or appointed by the captors, a certificate that such lists are correct or have been corrected as occasion may require, in order that distribution of the prize or other proceeds may be duly made.

And in the event of difficulty arising with respect to any of the regulations hereby ordered, or if any case should occur not herein provided for, or not sufficiently provided for, we are pleased hereby to authorize the Lord High Admiral, or our Commissioners for executing the office of Lord High Admiral for the time being, to issue such directions thereupon as may appear just and expedient; which directions shall have the same force and effect as if specially provided for in this our Royal Proclamation.

Given at our Court at Buckingham Palace, this twenty-ninth day of March, in the year of Our Lord One Thousand eight hundred and fifty-four, and in the seventeenth year of our Reign.

GOD SAVE THE QUEEN!

IX.—ORDER IN COUNCIL EXTENDING TO INDIA AND THE COLONIES THE INDULGENCE GRANTED TO RUSSIAN VESSELS BY HER MAJESTY'S ORDER IN COUNCIL OF 29<sup>TH</sup> MARCH, 1854.

At the Court at Buckingham Palace, the 7<sup>th</sup> day of April, 1854. Present—The Queen's Most Excellent Majesty in Council.

HER Majesty being compelled to declare war against His Imperial Majesty the Emperor of All the Russias, and being desirous to lessen as much as possible the evils thereof, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, that Russian merchant



vessels which, at the time of the publication of this order, shall be in any ports or places in Her Majesty's Indian territories under the government of the East India Company, or within any of Her Majesty's foreign or colonial possessions, shall be allowed thirty days from the time of the publication of this order in such Indian territories, or foreign or colonial possession, for loading their cargoes and departing from such ports or places; and that such Russian merchant vessels, if met at sea by any of Her Majesty's ships, shall be permitted to continue their voyage if, on examination of their papers, it shall appear that their cargoes were taken on board before the expiration of the above term; provided that nothing herein contained shall extend, or be taken to extend, to Russian vessels having on board any officer in the military or naval service of the enemy, or any article prohibited or contraband of war, or any despatch of or to the Russian Government.

And it is hereby further ordered by Her Majesty, by and with the advice of Her Privy Council as aforesaid, that any Russian merchant vessel which, prior to the twenty-ninth day of March now last past, shall have sailed from any foreign port, bound for any port or place in any of Her Majesty's Indian territories, or foreign or colonial possessions, shall be permitted to enter such port or place, and to discharge her cargo, and afterwards forthwith to depart without molestation; and that any such vessel, if met at sea by any of Her Majesty's ships, shall be permitted to continue her voyage to any port not blockaded.

And the Right Honorable the Lords Commissioners of Her Majesty's Treasury, the Lords Commissioners of the Admiralty, and Her Majesty's Principal Secretary of State for War and the Colonies, the Right Honorable the Commissioners for the Affairs of India, and all governors, officers, and authorities whom it may concern, in Her Majesty's East Indian, foreign, and colonial possessions, are to give the necessary directions herein as to them may respectively appertain.

C. C. GREVILLE.

X.—ORDER IN COUNCIL FOR PREVENTING VESSELS CLEARING OUT FOR RUSSIA, AND ORDERING A GENERAL EMBARGO OR STOP OF RUSSIAN SHIPS IN THE CHANNEL ISLANDS AND THE ISLE OF MAN.

At the Court at Buckingham Palace, the 7th day of April, 1854. Present—The Queen's Most Excellent Majesty in Council.

It is this day ordered by Her Majesty, by and with the advice of Her Privy Council, that no ships or vessels belonging to any of Her Majesty's subjects be permitted to enter and clear out for any of the ports of Russia until further order; and Her Majesty is further pleased to order, that a general embargo or stop be made of all Russian ships and vessels whatsoever now within or which shall hereafter come into any of the ports, harbours or roads, within Her Majesty's islands of Jersey, Guernsey, Alderney, and Sark, and the Isle of Man, together with all persons and effects on board the said ships or vessels: Provided always, that nothing herein contained shall extend to any ships or vessels specified or comprised in a certain Order of Her Majesty in Council, dated the twenty-ninth day of March last, for exempting from capture or detention Russian vessels under special circumstances; and Her Majesty is pleased further to order, and it is hereby ordered, that the utmost care be taken for the preservation of all and every part of the cargoes on board any of the said ships or vessels, so that no damage or embezzlement whatever be sustained.

And the Lieutenant Governors of Her Majesty's islands of Jersey, Guernsey, Alderney, and Sark, and of the Isle of Man, for the time being, are to give the necessary directions herein as to them may respectively appertain, and to return an account of their proceedings to this Board.

C. C. GREVILLE.

XI.—ORDER OF THE LORDS OF THE COUNCIL RESPECTING PERMISSION TO EXPORT CONTRABAND OF WAR.

At the Council Chamber, Whitehall, the 11th day of April, 1854. By the Lords of Her Majesty's Most Honorable Privy Council.

THE Lords of the Council having taken into consideration certain applications for leave to export arms, ammunition, military and naval stores, &c., being articles of which the exportation is prohibited by Her Majesty's Proclamation of February 18th, 1854: their Lordships are pleased to order, and it is hereby ordered, that permission should be granted by the Lord Commissioners of Her Majesty's Treasury to export the articles so prohibited, to be carried coastwise to ports in the United Kingdom, and likewise to all places in North and South America, except the Russian possessions in North America; to the coast of Africa, west of the Straits of Gibraltar, and round the south and east coasts of Africa; to the whole coast of Asia not within the Mediterranean Sea or the Persian Gulf, and not being part of the Russian territories; to the whole of Australia, and to all British Colonies within the limits aforesaid, upon taking a bond from the persons exporting such prohibited articles that they shall be landed and entered at the port of destination; and that all further permission to export such articles to other parts of the world be only granted upon application to the Lords of the Council at this Board.

C. C. GREVILLE.

EXTRACT FROM A TREASURY MINUTE DATED 13TH APRIL, 1854.

Their Lordships authorize the Commissioners [of Customs] to permit the exportation of the articles adverted to in the Order in Council to be carried coastwise to ports in the United Kingdom, and also to places abroad, situated within the geographical limits described in the Order in Council, in all cases in which the Commissioners of Customs shall not see reason to suspect the existence of a clandestine intention to transmit the articles to places other than those indicated by the applicants.

No. 62.—JULY 15TH, 1854.—3.

The Commissioners of Customs will observe that a Bond is in all cases to be taken from the persons exporting the articles, that they shall be landed and entered at the port of destination. And my Lords desire that the exporters may be informed that they will be expected to obtain and transmit to the Commissioners of Customs, within the period named in the Bond (which will be fixed by the Commissioners of Customs), certificates of landing and entry as follows:—

In the case of the United Kingdom.

From the Collector or other Principal Officer of Customs.

Of a British Possession abroad.

From the Collector of Customs, Governor, or other constituted authority.

Of Foreign Parts.

From the British Consul or Consular Agent, or, if there be no such functionary, under the hand of the Chief Magistrate, or other Principal National Public Functionary there.

My Lords desire that the Commissioners will take the requisite steps to secure the due fulfilment of the conditions of the Bond, in conformity with the Regulations above described; and that they will consider these instructions as superseding all former directions which have been given on the subject.

XII.—ORDER IN COUNCIL IN FURTHERANCE OF HER MAJESTY'S DECLARATION OF THE 28<sup>TH</sup> MARCH, 1854, RESPECTING THE TRADE OF NEUTRALS AND BRITISH SUBJECTS.

At the Court at Windsor, the 15th day of April, 1854. Present,—The Queen's Most Excellent Majesty in Council.

WHEREAS Her Majesty was graciously pleased, on the 28th day of March last, to issue Her Royal Declaration in the following terms:—

“ Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, having been compelled to take up arms in support of an ally, is desirous of rendering the war as little onerous as possible to the powers with whom she remains at peace.

“ To preserve the commerce of neutrals from all unnecessary obstruction, Her Majesty is willing, for the present, to waive a part of the belligerent rights appertaining to her by the Law of Nations.

“ It is impossible for Her Majesty to forego the exercise of Her right of seizing articles contraband of war, and of preventing neutrals from bearing the enemy's despatches, and she must maintain the right of a belligerent to prevent neutrals from breaking any effective blockade which may be established with an adequate force against the enemy's forts, harbors, or coasts.

“ But Her Majesty will waive the right of seizing enemy's property laden on board a neutral vessel unless it be contraband of war.

“ It is not Her Majesty's intention to claim the confiscation of neutral property, not being contraband of war, found on board enemy's ships; and Her Majesty further declares, that being anxious to lessen as much as possible the evils of war, and to restrict its operations to the regularly organized forces of the country, it is not her present intention to issue Letters of Marque for the commissioning of Privateers.”

Now it is this day ordered, by and with the advice of her Privy Council, that all vessels under a neutral or friendly flag, being neutral or friendly property, shall be permitted to import into any port or place in Her Majesty's dominions all goods and merchandise whatsoever, to whomsoever the same may belong; and to export from any port or place in Her Majesty's dominions to any port not blockaded any cargo or goods, not being contraband of war, or not requiring a special permission, to whomsoever the same may belong.

And Her Majesty is further pleased, by and with the advice of her Privy Council, to order, and it is hereby further ordered, that save and except only as aforesaid, all the subjects of Her Majesty and the subjects or citizens of any neutral or friendly state, shall and may, during and notwithstanding the present hostilities with Russia, freely trade with all ports and places wheresoever situate which shall not be in a state of blockade, save and except that no British vessel shall under any circumstances whatsoever, either under or by virtue of this order or otherwise, be permitted or empowered to enter or communicate with any port or place which shall belong to or be in possession or occupation of Her Majesty's enemies.

And the Right Honorable the Lords Commissioners of Her Majesty's Treasury, the Lords Commissioners of the Admiralty, the Lord Warden of the Cinque Ports, and Her Majesty's Principal Secretary of State for War and the Colonies, are to give the necessary directions herein as to them may respectively appertain.

C. C. GREVILLE.

XIII.—ORDER IN COUNCIL TO EXTEND TO THE 15<sup>TH</sup> MAY, 1854, THE INDULGENCE GRANTED TO RUSSIAN VESSELS WHICH SHALL HAVE SAILED FROM A RUSSIAN PORT IN THE BALTIC OR WHITE SEA PRIOR TO THAT DATE.

At the Court at Windsor, the 15th day of April, 1854. Present—The Queen's Most Excellent Majesty in Council.

WHEREAS by an Order of Her Majesty in Council of the twenty-ninth of March last, it was amongst other things ordered, “ that any Russian merchant vessel which prior to the date of this Order shall have sailed from any Foreign port, bound for any port or place in Her Majesty's Dominions, shall be permitted to enter such port or place and to discharge her cargo, and afterwards forthwith to depart without molestation, and that any such vessel, if met at sea by any of Her Majesty's ships, shall be permitted to continue her voyage to any port not blockaded.”

And whereas Her Majesty, by and with the advice of Her said Council, is now pleased to alter and extend such part of the said Order: It is hereby ordered by and with such advice as aforesaid as follows; that is to say,—That any Russian merchant vessel which, prior to the fifteenth day of May, One thousand eight hundred and fifty-four, shall have sailed from any Port of Russia, situated either in or upon the shores or coasts of the Baltic Sea or of the White Sea, bound for any port or place in Her Majesty's Dominions, shall be permitted to enter such last mentioned port or place, and to discharge her cargo, and afterwards forthwith to depart without molestation; and that any such vessel if met at sea by any of Her Majesty's ships, shall be permitted to continue her voyage to any port not blockaded.

And Her Majesty is pleased, by and with the advice aforesaid, further to order, and it is hereby further ordered, that in all other respects, Her Majesty's aforesaid Order in Council, of the twentieth day of March last, shall be and remain in full force, effect, and operation.

And the Right Honorable the Lords Commissioners of Her Majesty's Treasury, the Lords Commissioners of the Admiralty, and the Lord Warden of the Cinque Ports, are to give the necessary directions herein as to them may respectively appertain.

C. C. GREVILLE.

XIV.—ORDERS TO PROHIBIT THE EXPORTATION OF ARMS, &c., FROM MALTA AND GIBRALTAR, WITHOUT LICENCE.

At the Court at Windsor, the 15th day of April, 1854.—Present the Queen's Most Excellent Majesty in Council.

WHEREAS it has appeared expedient and necessary to Her Majesty, by and with the advice of her Privy Council, by reason of the hostilities now subsisting between herself and His Imperial Majesty the Emperor of All the Russias, to prohibit the goods hereinafter mentioned to be exported from the Island of Malta and its Dependencies, except as hereinafter provided:—

Her Majesty is pleased, by and with the advice of her Privy Council aforesaid, to order, and it is hereby ordered, that from and after the publication of this Order in the said Island, all arms, ammunition, and gunpowder, military and naval stores, and the following articles, being articles deemed capable of being converted into or made useful in increasing the quantity of military or naval stores; that is to say, marine engines, screw propellers, paddle wheels, cylinders, cranks, shafts, boilers, tubes for boilers, boiler plates, fire-bars, and every article, or any other component part of an engine or boiler, or any article whatsoever which is, can, or may become applicable for the manufacture of marine machinery, shall be and the same are hereby prohibited to be exported from the said Island of Malta and its Dependencies, except with the licence of the Governor or other officer administering the Government thereof for that purpose first had and obtained.

And the Most Noble the Duke of Newcastle, one of Her Majesty's principal Secretaries of State, is to give the necessary directions herein accordingly.

C. C. GREVILLE.

An Order similar to the above was also issued prohibiting the exportation of arms, &c., from the "Town and Garrison of Gibraltar."

XV.—THE EXPORTATION OF CERTAIN ARTICLES PROHIBITED.

AT the Council Chamber, Whitehall, the 24th day of April, 1854. By the Lords of Her Majesty's Most Honorable Privy Council.

The Lords of the Council, having taken into consideration certain applications for leave to export various articles, of which the exportation is prohibited by Her Majesty's Proclamation of the 18th February, 1854, are pleased to order, and it is hereby ordered, that the officers of Her Majesty's Customs do not hereafter prevent the export of any articles except only—

Gunpowder, saltpetre, and brimstone,  
Arms and ammunition,  
Marine engines and boilers, and the component parts thereof.

And that such last named articles be prohibited from export only when destined to any place in Europe north of Dunkirk or to any place in the Mediterranean Sea east of Malta; and that the officers of Her Majesty's Customs do permit the export of the said enumerated articles to any other part of the world, upon taking, from the persons exporting the same, a Bond, that they shall be landed and entered at the port of destination.

Whereof the Lords Commissioner of Her Majesty's Treasury, and Officers of Her Majesty's Customs, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

C. C. GREVILLE.

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