



SUPPLEMENT
TO THE
VICTORIA
GOVERNMENT GAZETTE
OF FRIDAY, SEPTEMBER 23, 1870.

Published by Authority.

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MONDAY, SEPTEMBER 26.

[1870.]

FOR THE MAINTENANCE OF NEUTRALITY.

THE Governor has ordered the publication of the subjoined Proclamation, which Her Majesty has, with the advice of Her Privy Council, issued in relation to the War between France and Prussia.

All persons are required to take notice that the provisions of the law will be strictly enforced.

By His Excellency's Command,

J. McCULLOCH,
Chief Secretary.

Chief Secretary's Office,
Melbourne, 26th September 1870.

BY THE QUEEN.
A PROCLAMATION.

VICTORIA R.

WHEREAS We are happily at peace with all Sovereigns, Powers, and States :

And whereas, notwithstanding Our utmost exertions to preserve peace between all Sovereign Powers and States, a state of War unhappily exists between His Imperial Majesty the Emperor of the *French* and His Majesty the King of *Prussia*, and between their respective subjects and others inhabiting within their countries, territories, or dominions :

And whereas We are on terms of friendship and amicable intercourse with each of these Sovereigns, and with their several subjects and others inhabiting within their countries, territories, or dominions :

And whereas great numbers of Our loyal subjects reside and carry on commerce, and possess property and establishments, and enjoy various rights and privileges, within the dominions of each of the aforesaid Sovereigns, protected by the faith of treaties between Us and each of the aforesaid Sovereigns :

And whereas We, being desirous of preserving to Our subjects the blessings of peace, which they now happily enjoy, are firmly purposed and determined to abstain altogether from taking any part, directly or indirectly, in the War now unhappily existing between the said Sovereigns, their subjects and territories, and to remain at peace with and to maintain a peaceful and friendly intercourse with each of them, and their respective subjects, and others inhabiting within any of their respective countries, territories, and dominions, and to maintain a strict and impartial neutrality in the said state of War unhappily existing between them :

We, therefore, have thought fit, by and with the advice of Our Privy Council, to issue this Our Royal Proclamation :

And We do hereby strictly charge and command all Our loving subjects to govern themselves accordingly, and to observe a strict neutrality in and during the aforesaid War, and to abstain from violating or contravening either the Laws and Statutes of the Realm in this behalf, or the Law of nations in relation thereto, as they will answer to the contrary at their peril :

And whereas in and by a certain Statute made and passed in the fifty-ninth year of His Majesty King George the Third, intituled *An Act to prevent the enlistment or engagement of His Majesty's Subjects to serve in a 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 declared and enacted as follows :—

“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 and license of His Majesty for that purpose first had and obtained as aforesaid, equip, furnish, fit out, or arm, or attempt or endeavor 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 it shall be lawful for any officer of His Majesty's Customs or Excise, or any officer of His Majesty's Navy, who is by law empowered to make seizures for any forfeiture incurred under any of the laws of customs or excise, or the laws of trade and navigation, to seize such ships and vessels aforesaid, and in such places and in such manner in which the officers of His Majesty's Customs or Excise and the officers of His Majesty's Navy are empowered respectively to make seizures under the laws of customs and excise, or under the laws of trade and navigation; and that 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 such ship or vessel, may be prosecuted and condemned in the like manner and in such courts as ships or vessels may be prosecuted and condemned for any breach of the laws made for the protection of the revenues of customs and excise, or of the laws of trade and navigation."

And it is in and by the said Act further enacted,—

"That if any person in any part of the United Kingdom of *Great Britain and Ireland*, or in any part of His Majesty's dominions beyond the seas, without the leave and license of His Majesty for that purpose first had and obtained as aforesaid, shall by adding to the number of the guns of such vessel, or changing those on board for other guns, or by the addition of any equipment for war, increase or augment, or procure to be increased or augmented, or shall be knowingly concerned in increasing or augmenting, the warlike force of any ship or vessel of war, or cruiser, or other armed vessel, which at the time of her arrival in any part of the United Kingdom or any of His Majesty's dominions was a ship of war, cruiser, or armed vessel in the service of any Foreign Prince, State, or Potentate, or of any person or persons exercising or assuming to exercise any powers of Government in or over any Colony, Province, or part of any Province or people belonging to the subjects of any such Prince, State, or Potentate, or to the inhabitants of any Colony, Province, or part of any Province or country under the control of any person or persons so exercising or assuming to exercise the powers of Government, every such person so offending shall be deemed guilty of a misdemeanor, and shall, upon being convicted thereof upon any information or indictment, be punished by fine and imprisonment, or either of them, at the discretion of the court before which such offender shall be convicted."

Now, in order that none of our subjects may unwarily render themselves liable to the penalties imposed by the said Statute We do hereby strictly command that no person or persons whatsoever do commit any act, matter, or thing whatsoever contrary to the provisions of the said Statute, upon pain of the several penalties by the said Statute imposed, and of Our high displeasure.

And We do hereby further warn and admonish all Our loving subjects, and all persons whatsoever entitled to Our protection, to observe towards each of the aforesaid Sovereigns, their subjects and territories, and towards all belligerents whatsoever with whom we are at peace, the duties of neutrality; and to respect, in all and each of them, the exercise of those belligerent rights which We and Our Royal Predecessors have always claimed to exercise.

And We do hereby further warn all Our loving subjects, and all persons whatsoever entitled to Our protection, that if any of them shall presume, in contempt of this Our Royal Proclamation, and of Our high displeasure, to do any acts in derogation of their duty as subjects of a neutral Sovereign in a War between other Sovereigns, or in violation or contravention of the law of nations in that behalf, as more especially by breaking, or endeavoring to break, any blockade lawfully and actually established by or on behalf of either of the said Sovereigns, by carrying officers, soldiers, despatches, arms, ammunition, military stores or materials, or any article or articles considered and deemed to be contraband of war according to the law or modern usages of nations, for the use or service of either of the said Sovereigns, that all persons so offending, together with their ships and goods, will rightfully incur and be justly liable to hostile capture, and to the penalties denounced by the law of nations in that behalf.

And We do hereby give notice that all Our subjects and persons entitled to Our protection who may misconduct themselves in the premises will do so at their peril, and of their own wrong; and that they will in nowise obtain any protection from Us against such capture, or such penalties as aforesaid, but will, on the contrary, incur Our high displeasure by such misconduct.

Given at Our Court, at Osborne House, Isle of Wight, this nineteenth day of July, in the year of our Lord One thousand eight hundred and seventy, and in the thirty-fourth year of Our reign.

GOD SAVE THE QUEEN !

RULES AND DIRECTIONS FOR MAINTAINING NEUTRALITY.

THE Governor has ordered the subjoined Despatch on various matters connected with the War between France and Prussia to be published for general information.

The Rules therein contained are to be obeyed by all persons within Her Majesty's Colony of Victoria.

By His Excellency's Command,

Chief Secretary's Office,
Melbourne, 26th September 1870.

J. McCULLOCH,
Chief Secretary.

Earl Granville to the Earl of Kimberley.

Foreign Office, 19th July 1870.

MY LORD,

Her Majesty being fully determined to observe the duties of neutrality during the existing state of war between the Emperor of the French and the King of Prussia, and being moreover resolved to prevent, as far as possible, the use of Her Majesty's harbors, ports, and coasts, and the waters within Her Majesty's territorial jurisdiction, in aid of the warlike purposes of either belligerent, has commanded me to communicate to your Lordship, for your guidance, the following rules, which are to be treated and enforced as Her Majesty's orders and directions.

Her Majesty is pleased further to command that these rules shall be put in force in the United Kingdom and in the Channel Islands on and after the 26th day of July instant, and in Her Majesty's territories and possessions beyond the seas six days after the day when the Governor or other chief authority of each of such territories or possessions respectively shall have notified and published the same; stating in such notification that the said rules are to be obeyed by all persons within the same territories and possessions.

1. During the continuance of the present state of war, all ships of war of either belligerent are prohibited from making use of any port or roadstead in the United Kingdom of Great Britain and Ireland, or in the Channel Islands, or in any of Her Majesty's colonies or foreign possessions or dependencies, or of any waters subject to the territorial jurisdiction of the British Crown, as a station or place of resort for any warlike purpose, or for the purpose of obtaining any facilities of warlike equipment; and no ship of war of either belligerent shall hereafter be permitted to sail out of or leave any port, roadstead, or waters subject to British jurisdiction, from which any vessel of the other belligerent (whether the same shall be a ship of war or a merchant ship) shall have

previously departed, until after the expiration of at least twenty-four hours from the departure of such last-mentioned vessel beyond the territorial jurisdiction of Her Majesty.

2. If any ship of war of either belligerent shall, after the time when this order shall be first notified and put in force in the United Kingdom and in the Channel Islands, and in the several colonies and foreign possessions and dependencies of Her Majesty respectively, enter any port, roadstead, or waters belonging to Her Majesty, either in the United Kingdom or in the Channel Islands, or in any of Her Majesty's colonies or foreign possessions or dependencies, such vessel shall be required to depart and to put to sea within twenty-four hours after her entrance into such port, roadstead, or waters, except in case of stress of weather, or of her requiring provisions or things necessary for the subsistence of her crew, or repairs, in either of which cases the authorities of the port, or of the nearest port (as the case may be), shall require her to put to sea as soon as possible after the expiration of such period of twenty-four hours, without permitting her to take in supplies beyond what may be necessary for her immediate use: and no such vessel which may have been allowed to remain within British waters for the purpose of repair shall continue in any such port, roadstead, or waters for a longer period than twenty-four hours after her necessary repairs shall have been completed. Provided, nevertheless, that in all cases in which there shall be any vessel (whether ships of war or merchant ships) of the said belligerent parties in the same port, roadstead, or waters within the territorial jurisdiction of Her Majesty, there shall be an interval of not less than twenty-four hours between the departure therefrom of any such vessel (whether a ship of war or merchant ship) of the one belligerent and the subsequent departure therefrom of any ship of war of the other belligerent, and the time hereby limited for the departure of such ships of war respectively shall always, in case of necessity, be extended so far as may be requisite for giving effect to this proviso, but no further or otherwise.

3. No ship of war of either belligerent shall hereafter be permitted, while in any port, roadstead, or waters subject to the territorial jurisdiction of Her Majesty, to take in any supplies, except provisions and such other things as may be requisite for the subsistence of her crew, and except so much coal only as may be sufficient to carry such vessel to the nearest port of her own country, or to some nearer destination; and no coal shall again be supplied to any such ship of war in the same or any other port, roadstead, or waters subject to the territorial jurisdiction of Her Majesty, without special permission, until after the expiration of three months from the time when such coal may have been last supplied to her within British waters as aforesaid.

4. Armed ships of either party are interdicted from carrying prizes made by them into the ports, harbors, roadsteads, or waters of the United Kingdom or any of Her Majesty's colonies or possessions abroad.

I have, &c.,

(Signed) GRANVILLE.

The Right Honorable the Earl of Kimberley.

INSTRUCTIONS TO PILOTS FOR MAINTAINING NEUTRALITY.

THE Governor has ordered the subjoined Despatch, relating to the War between France and Prussia, to be published for general information.

The Instructions therein contained are to be obeyed by all Pilots in Her Majesty's Colony of Victoria.

By His Excellency's Command,

J. McCULLOCH,
Chief Secretary.

Chief Secretary's Office,
Melbourne, 26th September 1870.

Downing street, 4th August 1870.

MY LORD,

I have the honor to state to you, for your information and guidance, that Her Majesty's Government, having regard to the existing state of War between France and Prussia, are of opinion that the following Instructions should be at once issued to the pilots in the colony under your Government:—

"British pilots are not to pilot ships of war of either belligerent except in British waters, within three miles of the shore, or to do more than pilot such ships into or out of British ports or roadsteads when they are not at the time engaged in any hostile operations; but ships of war in distress may always be piloted out of immediate danger."

I have accordingly to request that you will immediately take the necessary steps for making these Instructions public.

I have the honor to be, my Lord,

Your obedient servant,

KIMBERLEY.

The Officer administering the Government of Victoria.

