

THE

Hongkong



Government

G A Z E T T E .

NEW SERIES.

VICTORIA, SATURDAY, 16TH JULY, 1859.

VOL. V. No. 217.

GOVERNMENT NOTIFICATION.

The Contract for publishing this *Gazette*, entered into on the 24th September, 1853, was terminated on the 30th ultimo; and notice is hereby given that a NEW SERIES of this *Gazette* will be published hereafter, to commence from the 7th instant, under a New Contract, and that "THE HONGKONG GOVERNMENT GAZETTE" shall, as before, be the only Official Organ for PROCLAMATIONS, NOTIFICATIONS, and PUBLIC PAPERS, of this Government.

Colonial Secretary's Office, Victoria, Hongkong, 2d July, 1855.

By Order, W. T. MERCER, Colonial Secretary.

No. 66.

GOVERNMENT NOTIFICATION.

*Conflict of Austria & France*

The subjoined Proclamation by Her Majesty The QUEEN, for the maintenance of Neutrality pending the Hostilities which have broken out between The Emperor of Austria on the one Part, and The King of Sardinia and The Emperor of the French on the other, having been transmitted to this Government by The Right Honourable The Secretary of State for the Colonies, is, by direction of His Excellency The Acting Governor, published for general information.

By Order,

W. T. MERCER, Colonial Secretary.

Colonial Secretary's Office, Victoria, Hongkong, 15th July, 1859.

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 the Sovereign Powers and States now at War, Hostilities have unhappily commenced between His Imperial Majesty The Emperor of Austria on the one Part, and His Majesty The King of Sardinia and His Imperial Majesty The Emperor of the French on the other Part :

And whereas a State of War now exists between His Imperial Majesty The Emperor of Austria on the one Part, and His Majesty The King of Sardinia and His Imperial Majesty The Emperor of the French on the other Part, 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 all and 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 all and with each of them, and their respective Subjects, and others inhabiting within any of their Countries, Territories, and Dominions, and to maintain a strict and impartial Neutrality in the said Hostilities and 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 Hostilities and 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 Enlisting or Engagement of His Majesty's Subjects to serve in a Foreign Service, and fitting out or equipping; in His Majesty's Dominions, Vessels for Warlike Purposes, without His Majesty's Licence," 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 Licence of His Majesty for that Purpose first had and obtained as aforesaid, 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 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 and 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 Licence 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 by 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 Cruizer, 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, Cruizer, 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 warn and admonish all Our loving Subjects, and all Persons whatsoever entitled to Our Protection, to observe towards each and all 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 endeavouring to break, any Blockade lawfully and actually established by or on behalf of any or 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 any or 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 Buckingham Palace, this Thirteenth Day of May, in the Year of Our Lord One thousand eight hundred and fifty-nine, and in the Twenty-second Year of Our Reign.

GOD save the QUEEN.