



# NEW ZEALAND GOVERNMENT GAZETTE.

Published by Authority.

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By His Excellency's Command,

ANDREW SINCLAIR, Colonial Secretary.

VOL. II.] AUCKLAND, TUESDAY, JULY 11, 1854. [No. 16

Colonial Secretary's Office, Auckland,  
10th July, 1854.

HIS Excellency the Officer Administering  
the Government directs the publication  
of the following "Declarations," received  
from Her Majesty's Secretary of State for  
the Colonies, for general information.

By His Excellency's command,

ANDREW SINCLAIR,  
Colonial Secretary.

## DECLARATION.

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 Em-  
peror 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 Em-  
peror 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 honour of Her Crown, to  
the interests of Her People, and to the inde-  
pendence of the States of Europe, to come  
forward in defence of an Ally whose territory  
is invaded, and whose dignity and indepen-  
dence 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 Sublime Porte, refer-  
ence 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 pro-  
moting an arrangement to which no excep-  
tion was taken by the Russian Government.

But while the Russian Government re-  
peatedly assured the Government of Her  
Majesty that the Mission of Prince Menchi-  
koff to Constantinople was exclusively di-  
rected to the settlement of the question of the  
Holy Places at Jerusalem, Prince Menchi-  
koff 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 con-  
cealed, 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 spon-  
taneous 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 con-  
ciliatory character.

In both respects Her Majesty's just expec-  
tations 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 <sup>19</sup><sub>31</sub> May, and restated in his Despatch to Baron Brunnow, of the <sup>20</sup><sub>1 June</sub>, 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 basis 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 honourable 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 a 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 recognised 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.

## DECLARATION.

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 prevent 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, harbours, 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.

Commissioner of Crown Lands' Office,  
Auckland, 6th June, 1854.

I, FRANCIS DILLON BELL, a Commissioner duly appointed by virtue of the Ordinance No. 15, Session xi of the Legislative Council of the Islands of New Zealand, to hear and decide claims to land by persons claiming title from, through, or under the New Zealand Company, report that the claims of the persons whose names appear in the schedule hereunder having been duly referred to me by the Governor, I do hereby decide the said persons to be severally entitled to the Land or Government Scrip set opposite their respective names.

F. D. BELL,  
Commissioner.

No. of Report	Name of Claimant	Commissioner's Decision
869	William Mein Smith and Samuel Revans	Entitled to Government Scrip to the amount of Five Hundred and Twenty Pounds stg., (£520.)
900	John Yule .....	Entitled to Government Scrip to the amount of Two Hundred and Fifty Pounds stg., (£250.)

F. D. BELL,  
Commissioner.

Colonial Secretary's Office, Auckland,  
5th July, 1854.

HIS Excellency the Officer Administering the Government directs it to be notified for general information that Writs for the election of Members for the House of Representatives for the undermentioned districts, in the Province of Nelson, having been issued in accordance with the provisions of an Act to grant a Representative Constitution to the Colony of New Zealand, the Returning Officer for the said districts has returned the said Writs, with certificates to the effect that the undermentioned gentlemen have been duly elected to serve as Members of the said House of Representatives for the said districts:—

For the Town of Nelson,  
SAMUEL STEPHENS, Esq.;

For the Waimea District,  
WILLIAM THOMAS LOCKE TRAVERS, Esq. ;  
By His Excellency's command,  
ANDREW SINCLAIR,

Colonial Secretary.

Colonial Secretary's Office, Auckland,  
5th July, 1854.

HIS Excellency the Officer Administering the Government has been pleased to direct that the name of the undermentioned gentleman should be added to the Commission of the Peace for the Islands of New Zealand,

CHARLES KNIGHT, Esq.,  
By His Excellency's command,  
ANDREW SINCLAIR,  
Colonial Secretary.

Colonial Secretary's Office, Auckland,  
11th July, 1854.

WHEREAS, by the Royal Instructions bearing date the 13th day of September, 1852, certain persons therein expressly designated are nominated and appointed to be Members of the Executive Council, and such other persons as the Governor may deem to be qualified and capable to advise him, subject to the proviso that any appointment to be made by the Governor shall be provisional only, and subject to be confirmed or disallowed by Her Majesty. Now notice is hereby given, that pursuant to the authority vested in him as aforesaid, His Excellency the Officer Administering the Government has been pleased to appoint

THOMAS HOUGHTON BARTLEY

to be a Member of the Executive Council of New Zealand.

By His Excellency's command,  
ANDREW SINCLAIR,  
Colonial Secretary.

Colonial Secretary's Office, Auckland,  
11th July, 1854.

**H**IS Excellency the Officer Administering the Government directs it to be notified for general information, that the undermentioned Gentleman has this day taken and subscribed the proper oath as Member of the Executive Council—

THOMAS HOUGHTON BARTLEY.

By His Excellency's command,  
ANDREW SINCLAIR,  
Colonial Secretary.

Colonial Secretary's Office, Auckland,  
11th July, 1854.

**H**IS Excellency the Officer administering the Government directs it to be notified for general information that in accordance with Colonial usage the Members of the Executive Council, the Speaker of the Legislative Council, the Members of the Legislative Council, and the Speaker of the House of Representatives are entitled to be addressed officially as "The Honourable."

By His Excellency's command,  
ANDREW SINCLAIR,  
Colonial Secretary.