ANNO TRICESIMO OCTAVO

GEORGII III. REGIS.

CAP. LXXXVI.

An Act for abolishing certain Offices in the Customs, and for regulating certain other Offices therein; and for applying the Fees which have been received from vacant Offices towards the Augmentation of the Superannuation Fund. [28th *June* 1798.]

Preamble.

WHEREAS certain Offices in His Majesty's Customs in *England*, which have been usually granted by Letters Patent under the Great Seal, have been found to be unnecessary; and other Offices in the said Customs, which have been also usually granted by like Letters Patent, although the Duties, or some thereof, are necessary or useful, have been commonly executed by Deputies appointed by the Patentees respectively; and several of such Offices are now vacant, and others are held by Letters Patent heretofore granted; and it is expedient that some of the said Offices should be abolished, and that others should not in future be granted by Letters Patent, and should be abolished, so far as any of the Duties thereof shall appear not to be necessary or useful; and that Provision should be made for the Discharge of such Duties, in such Manner as shall be found convenient for the Publick Service: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Offices in the Customs, of Inspector of Prosecutions, Register

The Offices of Inspector of Prosecutions, *etc.* in the Customs, not

to be hereafter granted; and ſuch of them as are vacant, and the others as they become vacant, to be aboliſhed.

ter of Goods ſeized and of Informations and Suits, Inſpector and Examiner of the Books of the Patent, and other Officers of the Ports, Surveyor General of the Cuſtoms, and Subſidies in the Port of *London*, Cuſtomers or Collectors at the Out Ports, and Keeper of the Books of Entries for the Port of *London*, ſhall not, nor ſhall any of them, from and after the paſſing of this Act, be granted to any Perſon or Perſons whomſoever; and that ſuch of the ſaid ſeveral Offices as are vacant ſhall forthwith be, and the ſame are hereby wholly aboliſhed; and that ſuch of them as are not vacant ſhall hereafter, from Time to Time as the ſame ſhall reſpectively become vacant, be in like Manner aboliſhed; and the ſame are hereby, from and after the reſpective Times when the ſame ſhall reſpectively become vacant as aforeſaid, wholly aboliſhed.

The Offices of Regiſter General of Trading Ships, *&c.* not to be granted, and ſuch of them as are vacant, and the others as they become vacant, to be aboliſhed, ſave as herein-after mentioned.

II. And be it further enacted, That the ſeveral Offices of Regiſter General of Trading Ships, Inſpector of the Out Port Collectors Accounts and Vouchers, Comptroller of the Cuſtoms in the Port of *London*, excepting the Duties on Cloth, Wool, and Leather exported; Collector of the Subſidies of Tonnage and Poundage in the Port of *London*, Collector of the Cuſtoms of Tonnage and Poundage Outwards in the Port of *London* and Keeper of the Cocquet Seal, Nineteen Waiters commonly called *King's Waiters* in the Port of *London*, Chief Patent Searcher of the Cuſtoms in the Port of *London*, Five Under Searchers in the Port of *London*, Two Searchers at *Graveſend*, Comptroller at the Out Ports, Searchers at the Out Ports, and Four King's Waiters in the Port of *Briſtol*, being Offices the Duties whereof are in Part uſeful and neceſſary, ſhall not, nor ſhall any of ſuch Offices, from and after the paſſing of this Act, be granted to any Perſon or Perſons by Patent or otherwiſe, ſave as herein-after mentioned, and that ſuch of them as are vacant ſhall forthwith be aboliſhed, and the ſame are hereby aboliſhed, ſave as herein-after provided, and that ſuch of them as are not vacant ſhall hereafter, from Time to Time as the ſame ſhall reſpectively become vacant, be in like Manner aboliſhed; and the ſame are hereby accordingly, from and after the reſpective Times when the ſame ſhall reſpectively become vacant, aboliſhed, ſave as herein-after mentioned.

The preſent Officers not compellable to any other Duty than as heretofore.

III. Provided always, and be it further enacted, That the Officers before mentioned, or any of them, ſhall not be compelled to any other Attendance on the Duty of their ſeveral Offices during the Continuance of the exiſting Grants to them than has heretofore been given.

The Commiſſioners of the Cuſtoms, with the Approbation of the Treaſury, may provide for the Execution of the Duties of ſuch of the laſt-mentioned Offices as ſhall appear to be neceſſary, *&c.*

IV. Provided always, That it ſhall and may be lawful to and for the Commiſſioners of His Majeſty's Cuſtoms, with the Approbation of the High Treaſurer or Commiſſioners of His Majeſty's Treaſury for the Time being, to provide for the Execution of ſuch of the Duties of the ſeveral Offices laſt mentioned, as ſhall in their Judgement appear to be neceſſary or uſeful, either by appointing (by Inſtruments under their Hands, with the Approbation aforeſaid) proper Perſons to execute, during their Pleaſure, ſuch neceſſary and uſeful Duties of ſo many of the ſaid Offices as are vacant as aforeſaid, and of ſo many of the ſaid Offices as are not vacant, when and as the ſame ſhall reſpectively become vacant, and by conſolidating in One or more Office or Offices, or ſeparating into diſtinct or different Offices, ſuch neceſſary and uſeful Duties reſpectively, and otherwiſe regulating ſuch Offices reſpectively, in ſuch Manner as the Commiſſioners

Commiſſioners of His Majeſty's Cuſtoms, with the Approbation of the ſaid High Treaſurer, or Commiſſioners of His Majeſty's Treaſury for the Time being, ſhall in their Judgement from Time to Time think fit and proper.

The Salary, *etc.* as Collector Outwards in the Port of *London*, to be received in the like Manner as if Letters Patent had been perfected as directed by His Majeſty's Warrant in 1782; and from the Death of the Survivor of the Duke of *Manchester* and his Brother, the Office to be aboliſhed.

V. And whereas the Office of Collector Outwards in the Port of *London* was, in the Year One thouſand ſeven hundred and eighty-two, held by *George* late Duke of *Manchester* for the Term of his Life, and the Life of his Brother *Charles Greville Montagu*, commonly called *Lord Charles Greville Montagu*, by Letters Patent, and Letters Patent were prepared in the ſame Year to paſs the Great Seal on a Surrender of the then exiſting Patent by the ſaid late Duke, granting the ſaid Office to him, his Executors, Adminiſtrators, or Aſſigns, for and during his natural Life, and the natural Lives of *William* now Duke of *Manchester* and Lord *Frederick Montagu* his Sons, in purſuance of His Majeſty's Warrant for that Purpoſe, which Letters Patent did not paſs the Great Seal, but the Profits and Emoluments of the ſaid Office have been ever ſince enjoyed by the ſaid *George* late Duke of *Manchester* and his Family, in the ſame Manner as if ſuch Letters Patent had been completed: And whereas it is expedient that the ſaid Office ſhould not be granted by Letters Patent as aforeſaid, and that the ſame ſhould be aboliſhed after the Deaths of the Perſons during whoſe Lives the Grant was intended to have been made; be it therefore enacted, That during the Lives of the ſaid *William* Duke of *Manchester* and *Frederick Montagu*, commonly called *Lord Frederick Montagu*, the Salary, Fees, and Emoluments due to the Collector Outwards in the Port of *London*, ſhall continue to be received and taken in ſuch and the like Manner and to the like Amount, and that the ſame Perſons ſhall be entitled to the Profits of the ſaid Office as if Letters Patent for granting the ſaid Office had been perfected, as directed by His Majeſty's ſaid Warrant, in the Year One thouſand ſeven hundred and eighty-two; and that, from and after the Death of the Survivor of the ſaid *William* Duke of *Manchester* and *Frederick Montagu*, commonly called *Lord Frederick Montagu*, the ſaid Office ſhould be aboliſhed: Provided always, that during the Lives of the laſt-mentioned Perſons, it ſhall and may be lawful for the Commiſſioners of His Majeſty's Cuſtoms in *England*, or any Four or more of them, with the Conſent and Approbation of the Lords Commiſſioners of His Majeſty's Treaſury, to appoint proper Perſons to execute all the neceſſary Duties of the ſaid Office of Collector Outwards in the Port of *London*.

During their Lives the Commiſſioners of the Cuſtoms, with the Conſent of the Treaſury, may appoint Perſons to execute the Duty.

From *July* 5, 1798, the Offices of Receiver and Accomptant for Sales of condemned Goods, &c. not to be granted, ſave as hereinafter mentioned.

VI. And be it further enacted, That the ſeveral Offices of Receiver and Accomptant for Sales of condemned Goods ſold in *London*, Receiver of His Majeſty's Share of enumerated Goods, Fines, and Forfeitures, remitted from the Out Ports, Comptroller of His Majeſty's Share of enumerated Goods, Fines, and Forfeitures, remitted from the Out Ports, Accomptant of Petty Receipts in the Cuſtoms, Surveyor of the Cuſtoms, (except in the Port of *London*), Four Examiners of the Out Port Books in the Port of *London*), Cuſtomer of Cloth and Petty Cuſtoms in the Port of *London*, Collector of the Petty Cuſtoms of Aliens in the Port of *London*, and Keeper of the Cocquet Seal to the ſaid Office belonging, Comptroller of the pretermitted Cuſtoms in the Port of *London*, Collector of the Cuſtoms of Hides, Woolfells, Lead, and Tin, in the Port of *London*, and Keeper of the Seal called *The Cocquet*, in the Port aforeſaid,

aforeſaid, Comptroller of the Cuſtoms of Wool, Hides, and Woolfells, Lead and Tin, and alſo of the Subſidies of Three Shillings for every Dolium, and of Twelve-pence of every Pound in the Port of *London*, ſhall not, nor ſhall any of them, from and after the Fifth Day of *July* One thouſand ſeven hundred and ninety-eight, be granted to any Perſons or Perſon by Letters Patent or otherwiſe, ſave as herein-after mentioned.

The Commiſſioners of the Cuſtoms, with the Approbation of the Treaſury, may abolish or regulate vacant Offices;

VII. Provided always, That it ſhall and may be lawful for the Commiſſioners of His Majeſty's Cuſtoms, with the Approbation of the High Treaſurer, or Commiſſioners of His Majeſty's Treaſury, as to any of ſuch Offices which are now vacant, and likewiſe from Time to Time when and as any of ſuch Offices which are not vacant ſhall become vacant, either wholly to ſuppreſs and aboliſh ſuch Offices, or any of them, or any Parts or Part thereof, or of any of them, or otherwiſe to regulate the ſame in ſuch Manner as they ſhall think fit and proper; and in caſe the ſaid Commiſſioners of His Majeſty's Cuſtoms ſhall think fit, (with ſuch Approbation as aforeſaid), either wholly or in part to aboliſh any of ſuch Offices, the ſame ſhall, from and after the Confirmation by the High Treaſurer, or Commiſſioners of His Majeſty's Treaſury, or any Three or more of them, of any Order which the ſaid Commiſſioners of His Majeſty's Cuſtoms ſhall make for that Purpoſe, be, and the ſame are hereby aboliſhed, either wholly or in part, and in ſuch Manner and ſubject to ſuch Proviſions as in ſuch Order ſhall be expreſſed.

and may provide for the Execution of the Duties of ſuch as they ſhall think neceſſary, *etc.*

VIII. And be it further enacted, That it ſhall and may be lawful to and for the Commiſſioners of His Majeſty's Cuſtoms, with the Approbation of the High Treaſurer, or Commiſſioners of His Majeſty's Treaſury for the Time being, from Time to Time to provide for the Execution of ſuch of the Duties of the ſeveral Offices laſt mentioned, as ſhall in their Judgement appear to be neceſſary or uſeful, either by appointing under their Hands proper Perſons to execute, during their Pleaſure, ſuch Duties of ſo many of the ſaid ſeveral Offices as are vacant as aforeſaid, and of ſo many of the ſaid ſeveral Offices as are not vacant, when and as the ſame ſhall reſpectively become vacant, and by conſolidating in One or more Office or Offices, or ſeparating into different Offices, ſuch neceſſary or uſeful Duties reſpectively, and otherwiſe regulate ſuch Offices reſpectively in ſuch Manner as the ſaid Commiſſioners of His Majeſty's Cuſtoms, with the Approbation of the High Treaſurer or Commiſſioners of His Majeſty's Treaſury, ſhall in their Judgement from Time to Time deem fit and proper.

All Perſons appointed before *July* 5, 1798, to execute the Duties of any of the ſaid Offices, ſhall have the ſame Power as they would have had previous to this Act till others are appointed, who ſhall have the ſame

IX. And be it further enacted, That all Perſons who ſhall or may, before the Fifth Day of *July* One thouſand ſeven hundred and ninety-eight, have been appointed to execute any of the Duties of any of the ſaid ſeveral Offices not wholly aboliſhed by this Act, ſhall, to all Intents and Purpoſes, have the ſame Power and Authority to execute and perform ſuch Duties of ſuch Offices reſpectively, as they would have had if this Act had not been made, until ſuch Perſons reſpectively, or ſome other Perſon or Perſons, ſhall be appointed to execute ſuch Duties reſpectively under the Authority of this Act; and that all Perſons who ſhall or may be appointed to execute any of the Duties of any of ſuch Offices under the Authority of this Act, ſhall have the ſame Powers and Authorities, to all

all Intents and Purpoſes, to execute and perform ſuch Duties reſpectively, as the ſame Perſons reſpectively would have had if ſuch Perſons had been appointed to ſuch Offices reſpectively before the Fifth Day of *July* One thouſand ſeven hundred and ninety-eight, according to the Terms of the ſeveral Warrants which ſuch Perſons ſo to be appointed ſhall reſpectively receive from the ſaid Commiſſioners of His Majeſty's Cuſtoms for executing ſuch Duties reſpectively.

Powers as if appointed before *July* 5, 1798.

X. And it is hereby further enacted, That it ſhall be lawful for the Commiſſioners of His Majeſty's Cuſtoms, with the Approbation of the High Treaſurer, or Commiſſioners of His Majeſty's Treaſury, to appoint ſuch Salaries to be taken and had by the ſeveral Perſons who ſhall be appointed by the ſaid Commiſſioners of His Majeſty's Cuſtoms to execute any of the Duties of any of the ſaid Offices not wholly aboliſhed by this Act, as the ſaid Commiſſioners ſhall think fit, not exceeding the Salaries, Fees, Perquiſites, and Profits, heretofore had and taken by the Perſons who have from Time to Time held and enjoyed ſuch Offices reſpectively.

Commiſſioners of the Cuſtoms, with the Approbation of the Treaſury, to appoint Salaries to Perſons executing the Duties of Offices not aboliſhed;

XI. And be it further enacted, That on the abſolute Abolition of any Office under the Proviſions of this Act, it ſhall and may be lawful for the Commiſſioners of His Majeſty's Cuſtoms in *England* for the Time being (with the Approbation of the High Treaſurer, or Commiſſioners of His Majeſty's Treaſury for the Time being), to make ſuch juſt and reaſonable Compenſation as they ſhall, in their Judgement, think proper, to the Deputy or Deputies, Clerk or Clerks, or to any other Perſon or Perſons who, on and immediately before the paſſing of this Act, was or were employed in ſuch Office ſo aboliſhed as aforeſaid.

and on the Abolition of any Office, to make Compenſation to the Deputy or other Perſons who were employed therein before the paſſing of this Act.

XII. Provided always, and be it enacted, That when and as often as it ſhall be found neceſſary to make a new Appointment under the Authority of this Act, for the Execution of any of the Duties of ſuch of the Offices herein mentioned as ſhall be requiſite to be performed, although the Patents are aboliſhed, the Commiſſioners of the Cuſtoms ſhall, in all ſuch Caſes, lay an Account of the ſame before both Houſes of Parliament, within Fourteen Days of the Beginning of each Seſſion, deſcribing the Office, and the Amount of the Salary, which ſhall be appointed for the ſame.

When neceſſary to make a new Appointment for executing the Duties of Offices, although the Patents are aboliſhed, an Account to be laid before Parliament.

XIII. And whereas a Superannuation Fund has long been eſtabliſhed under the Management of the Commiſſioners of His Majeſty's Cuſtoms, for the Benefit of aged and infirm or diſabled Officers: And whereas ſeveral Sums of Money have been received as Fees or Emoluments of various Offices in the Cuſtoms now vacant, and have accrued during the Vacancy of ſuch Offices: And whereas it would promote the Good of the Service, by rewarding and encouraging the Officers under the Management of the Commiſſioners of His Majeſty's Cuſtoms, if ſuch Sums of Money were to be appropriated and applied in Augmentation of the ſaid Superannuation Fund: Be it therefore enacted, That the ſeveral Sums of Money which have been or may be received previous to the Fifth Day of *July* One thouſand ſeven hundred and ninety-eight, for Fees or Emoluments of Offices ſo aboliſhed and vacant as aforeſaid, ſhall be appropriated and applied in Augmentation of the ſaid Fund, called *The Superannuation*

The Money received previous to *July* 5, 1798, for Fees of Offices aboliſhed and vacant, to be added to the Superannuation Fund.

Fund, in ſuch Manner as the ſaid Commiſſioners of His Majeſty's Cuſtoms for the Time being, or any Four or more of them, ſhall in their Judgement and Diſcretion think fitting and proper, and ſhall by Writing under their Hands direct.

No Perſon to be put upon the Superannuation Fund till incapable of his Employment, and a Liſt of thoſe put thereon to be laid before Parliament.

XIV. And be it further enacted, That no Officer or other Perſon ſhall be put upon the ſaid Superannuation Fund, except on the Commiſſioners of the Cuſtoms, or any Four or more of them, being ſatisfied that ſuch Officer or other Perſon is actually unfit to continue in the Execution of the Duties of his Employment from Age, Illneſs, or other Infirmity; and that a Liſt of all Perſons who ſhall be put upon the ſaid Fund ſhall be laid before both Houſes of Parliament, within Fourteen Days after the Commencement of every Seſſion, ſpecifying the Offices which ſuch Perſons held, and the Times they enjoyed the ſame, with the Salaries or Emoluments thereof, and what Proportions of ſuch Salaries or Emoluments are continued to ſuch Perſons, and ſtating the Reaſons for their being ſuperannuated, with the Names of the Perſons who ſucceeded them.

LONDON: Printed by George Eyre and Andrew Strahan, Printers to the King's moſt Excellent Majeſty. 1798.