ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

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C A P. LVI.

An Act for aboliſhing Fees received by Officers in the Service of the Cuſtoms in the ſeveral Ports of *Ireland*, and for regulating the Hours of Attendance and the Number of Holydays to be obſerved by the ſaid Officers and certain Officers of Exciſe.

[1ſt *June* 1808.]

WHEREAS various Officers and other Perſons in the Service of His Majeſty's Cuſtoms and Port Duties in the ſeveral Ports of *Ireland*, employed in the Examination, warehouſing and Delivery of Goods and Merchandize imported, exported, or brought or carried Coaſtwiſe into or from the ſaid Ports, have long been in the Practice of receiving Fees and Gratuities for the Execution of their official Duties: And whereas great Inconvenience ariſes therefrom, and alſo from the Number of Holidays kept at the ſaid Ports, and by various Officers of His Majeſty's Revenues: And whereas it would greatly tend to the Benefit of the fair Trader and the Security of the Revenue if the ſaid Fees were aboliſhed, and the Attendance of the ſaid Officers were properly regulated; be it therefore 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 from and after the Firſt Day of *January* One thouſand eight

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No Fees to be required or received by any Officer acting under the Commissioners of Customs and Port Duties.

eight hundred and nine, no Fee, Perquisite, Gratuity or Reward, whether pecuniary or of any other Sort or Description whatever, shall be required, taken or received from any Person or Persons whomsoever by any Officer Clerk, Deputy or other Person appointed by or acting under the Commissioners of Customs and Port Duties in *Ireland*, or by any Officer, Clerk, Deputy or other Person executing, performing or assisting in the Execution or Performance of any of the Duties, or acting by themselves or others in any of the Offices or Employments in or belonging to His Majesty's Customs and Port Duties in *Ireland*, for any Service, Act, Duty, Matter or Thing done or performed or to be done or performed by any such Officer, Clerk, Deputy or other Person or Persons on account of or relating to or under the Pretext of any such Office or Employment, except as is herein provided, any Thing in any Act or Acts to the contrary notwithstanding; and that if any such Officer, Clerk, Deputy or other Person shall, at any Time after the said First Day of *January* One thousand eight hundred and nine, require, take or receive any Fee, Perquisite, Gratuity or Reward whether pecuniary or of ony other Sort or Description whatever, except as is herein excepted, either directly or indirectly, on account of or relating to or under Pretext of any such Office or Employment, or for any Service, Act, Duty, Matter or Thing done or performed or to be done or performed therein, although the same shall be freely offered or given, every such Officer, Clerk, Deputy or other Person shall, on Proof thereof to the Satisfaction of the said Commissioners of Customs and Port Duties in *Ireland*, or any Four or more of them, be for such Offence peremptorily dismissed from his Office or Employment, and be rendered incapable, and shall be ever after incapable of holding or executing or acting in any Office or Employment in the Service of His Majesty's Customs or Excise, or in any Branch of His Majesty's Revenue in *Ireland*.

Act not to prevent Officers receiving Shares of Seizures.

II. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Officer or other Person holding or exercising or acting in or performing the Duties of any of the said Offices or Employments, from receiving such Reward or Satisfaction for or on account of any Detention, Seizure, or Forfeiture of any Goods, Wares or Merchandize, or any Penalty or Share of Penalty or Composition, which under any Law now in force, or hereafter to be passed in relation to the Duties under the Management of the Commissioners of Customs and Port Duties, he is or may be legally entitled to, or to prevent any such Officer, Clerk or Person from receiving any Allowance, Gratuity or Reward which the Lord High Treasurer or Lords Commissioners of His Majesty's Treasury of *Ireland*, or any Three or more of them, with the Consent of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for the Time being, or the Commissioners of His Majesty's Customs and Port Duties in *Ireland*, or any Four or more of them, with the like Consent respectively, may think fit to direct.

Commissioners of Customs shall ascertain the Fees received by Officers for 10 Years, and

III. And, in order that proper Compensation may be made to any Officer, Clerk or other Person employed in or holding any Office in the Service of the Customs at any Port in *Ireland*, who may sustain Loss by the Abolition of Fees directed by this Act; be it enacted, That the Commissioners of Customs and Port Duties shall, immediately after the passing of this Act, prepare

prepare Tables, containing the annual Amount of the Fees, Perquiſites, Gratuities and Rewards eſtabliſhed by Law or ſanctioned by uninterrupted Uſage for Ten Years laſt paſt, which each Officer, Clerk or other Perſon who may ſuſtain a Loſs by the Abolition of Fees directed by this Act received, or which his Predeceſſor or Predeceſſors and he did receive for any Service, Act, Matter, or Thing done or executed by him or them in the Performance of the Duties of his or their Office or Employment held by him or them, during the Three Years ending on the Firſt Day of *January* One thouſand eight hundred and four, together with the yearly Average thereof, calculated on the Amount of the ſaid Three Years, excluſive of all Gratuities, Allowances, or Monies received by him or them out of His Majeſty's Revenues, or out of any Seizure, Fine or Forfeiture, and ſhall lay the ſame, certified under their Hands, before the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, and before the ſaid Commiſſioners for executing the Office of Lord High Treaſurer. the Average Amount for Three Years, and lay the ſame before the Lord Lieutenant and Treaſury.

IV. And be it further enacted, That the ſaid Commiſſioners of Cuſtoms, and Port Duties, ſhall regularly pay or cauſe to be paid to every ſuch Officer, Clerk or other Perſon, ſuch Sum annually by Way of Compenſation for his Loſs of Fees, Perquiſites and Gratuities under this Act, not exceeding in any Year the average Amount aforeſaid, as the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, ſhall direct, under his or their Sign manual, counterſigned by Three or more of the ſaid Commiſſioners for executing the Office of Lord High Treaſurer; and every ſuch Payment by Way of Compenſation ſhall commence from the Day whereon the Perſon for whom the ſame ſhall be directed ſhall have ceaſed to take or receive any Fee, Perquiſite, Gratuity or Reward under the Directions of this Act, and ſhall continue during the Time any ſuch Perſon ſhall continue to hold ſuch Office or Employment. Commiſſioners ſhall pay Officers Annual Compenſation for Loſs of Fees.

V. Provided always, and be it further enacted, That no Perſon ſhall be entitled to receive any ſuch Payment by Way of Compenſation or any Part thereof, until he ſhall have taken the following Oath; that is to ſay; Oath of Officer receiving Compenſation.

"I *A. B.* do ſwear, That I will not require, take, or receive any Fee, Perquiſite, Gratuity or Reward, whether pecuniary or of any other Sort or Deſcription whatever, either directly or indirectly, for any Service, Act, Duty, Matter or Thing done or performed, or to be done or performed in the Execution or Diſcharge of any of the Duties of my Office or Employment on any Account whatever, other than my Salary, and what is or ſhall be allowed me by Law. So help me GOD."

VI. And be it further enacted, That every Perſon who ſhall after the paſſing of this Act be appointed to any Office or Employment relating to the Cuſtoms or Port Duties in *Ireland*, ſhall at his Admiſſion thereto take the following Oath; that is to ſay: Oath of all Officers.

"I *A. B.* do ſwear to be true and faithful in the Execution, to the beſt of my Knowledge and Powers, of the Truſt committed to my Charge and Inſpection in the Service of His Majeſty's Cuſtoms; and that I will not require,

'require, take or receive any Fee, Perquiſite, Gratuity or Reward, whether pecuniary or of any other Sort or Deſcription whatever, directly or indirectly, for any Service, Act, Duty, Matter or Thing done or performed, or to be done or performed in the Execution or Diſcharge of any of the Duties of my Office or Employment on any Account whatever, other than my Salary, and what is or ſhall be allowed me by Law. So help me GOD."

Hours of Attendance.

VII. And whereas it is expedient for the Accommodation of Trade, and the better Management of the Revenue of Cuſtoms, that the Hours of Attendance of the Officers, Clerks and other Perſons employed in the Service of the Cuſtoms ſhould be altered and regulated; be it further enacted, That from and after Ten Days after the paſſing of this Act, all and every the Officers, Clerks and Perſons executing or performing or aſſiſting in the Execution or Performance of any of the Duties, or acting in any Office or Employment belonging to His Majeſty's Cuſtoms or Port Duties in *Ireland*, whether appointed by the Commiſſioners of Cuſtoms and Port Duties, or by His Majeſty's Patent, or by Deputation or other Inſtrument or Authority of any Patentee or other Officer or Perſon whatſoever, ſhall and they are hereby required, unleſs prevented by Sickneſs or other unavoidable Cauſe, which ſhall be made appear to the Satisfaction of His Majeſty's Commiſſioners of Cuſtoms and Port Duties, duly and regularly to attend at the reſpective Offices or Places where their Duty is or ſhall be directed to be executed and performed at the Hours and Times following, on every Day of the Year except *Sundays*, and the other Days herein-before excepted; that is to ſay, The Officers employed on the Quays, and all Out-door Officers, from the Ninth Day of *November* until the Tenth Day of *May* in every Year, from the Hour of Nine in every Morning to the Hour of Four in every Afternoon; and from the Ninth Day of *May* until the Tenth Day of *November*, in every Year, from the Hour of Eight in every Morning to the Hour of Four in every Afternoon; and the Clerks and In-door Officers, and all others employed in the Service of the ſaid Cuſtoms and Port Duties, from the Hour of Nine in every Morning until the Hour of Four in every Afternoon, during the whole Year; and during the ſaid Hours and Times there ſhall not be any Ceſſation or Intermiſſion of Buſineſs on any Pretence or Account whatſoever, any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Commiſſioners may require extra Attendance.

VIII. Provided always, That nothing in this Act contained ſhall extend to prevent the Commiſſioners of Cuſtoms and Port Duties from directing and enforcing the Attendance of any Officer, Clerk, or other Perſon employed in the Service of His Majeſty's Cuſtoms at any Time or at any Place where, on any particular Emergency, the Public Service ſhall ſo require, or from directing or enforcing the Attendance of any Officer, Clerk, or other Perſon employed in the ſaid Service, at ſuch Hours, Times, and Places as the ſaid Commiſſioners ſhall think fit and requiſite for the proper Diſcharge of the official Duties of any ſuch Officer, Clerk, or other Perſon.

Not to compel Perſonal At-

IX. Provided alſo, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend to compel the perſonal

 Attendance

Attendance of any Person or Persons who are now authorized to execute the Duties of their respective Offices or Employments in the Service of the Customs by sufficient Deputy or Deputies. tendance in certain Cases.

X. And be it further enacted, That from and after Ten Days after the passing of this Act, no Holidays or Days of Non-attendance whatever, shall be permitted or allowed to be observed and kept at the Custom-house in any of the Ports in *Ireland*, or by any Officer, Clerk, or other Person belonging to or employed in the Service of His Majesty's Customs and Port Duties, or by any Officer, Clerk, or other Person employed in the Service of His Majesty's Excise in *Ireland*, any way concerned in or relating to the granting, issuing, examining, or registering of Permits or Certificates of Permits, except *Christmas Day* and *Good Friday* in every Year, and any Days which shall be appointed by His Majesty's Proclamation for the Purpose of a General Fast or Thanksgiving; and also the Anniversaries of the Restoration of His Majesty King *Charles* the Second, and of the Coronation of His Majesty, and the Birth Days of their Majesties, and of His Royal Highness the Prince of *Wales*; but that all Business at the Custom-house, and relating to the Service of Customs and to the Service of the Excise in the respect aforesaid, shall be carried on and performed on every Day throughout the Year except on *Sundays*, and the Days before excepted; any Law, Usage, or Custom to the contrary notwithstanding. No Holidays, except those herein mentioned, shall be kept by the Officers of the Customs, nor by Excise Officers concerned in granting Permits.

XI. And whereas by an Act made in the Forty-second Year of His present Majesty's Reign, to amend the Laws for the better Regulation of the Linen Manufacture in *Ireland*, the Collector of the Port into which Flax Seed or Hemp Seed shall be imported, is empowered and required to demand and receive the Sum of Sixpence for each Hogshead, Cask, or Package containing Flax Seed or Hemp Seed, imported and examined as in the said Act is mentioned, and to retain the Sum of Three-pence thereof to his own Use, and to pay over the Remainder thereof to the Officer appointed by the Trustees of the Linen and Hempen Manufactures, to examine Flax Seed and Hemp Seed imported; be it enacted, That from and after the said First Day of *January* One thousand eight hundred and nine, no Collector at any Port in *Ireland* shall be entitled to or shall receive or demand from any Importer or Owner of any Flax Seed or Hemp Seed, such Sum of Sixpence for every Hogshead, Cask, or Package containing Flax Seed, under or by Pretext of the said recited Act; but that the Officer appointed by the Trustees of the Linen and Hempen Manufactures to examine Flax Seed and Hemp Seed imported, shall and may demand and receive to his own Use the Sum of Three-pence for each and every such Hogshead, Cask, or Package which he shall examine, being the Amount which he is now entitled to by Law for such his Examination; and it shall be lawful for every Collector to detain, and he is hereby required to detain every such Hogshead, Cask, or other Package, until he shall receive a Certificate under the Hand of such Officer that the same has been examined according to Law, which Certificate such Officer shall not be compellable to give until he shall have received such Sum of Three-pence for each such Hogshead, Cask, or other Package as aforesaid. Port Officer not to be entitled to Fee or Flax Seed or Hemp Seed.

Act may be altered or repealed this Session.

XII. And be it further enacted, That this Act may be altered, amended, or repealed, by any Act or Acts to be made in this present Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1808.