

1911

FACT AND PROT

C O
4272

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Home

Date

1911
9 Feb.

Rewards to Customs Officers

at previous Paper.

for special alertness in preventing frauds on Customs
Haber Imperial practice.

1353
10-11

No Rules

I have put up the Act & the rules
to which the Board refer at the end
of para 1.

These rules are altogether too
complicated for the Act, but the former
may be used to suggest some simpler rules
in the lines of these.

Send copy of the former's draft (1883) to
write copy of his letter to the Treasury
and say that subject to the Treasury's

(This may be returned)
 2000
 Copy (with copy of 1105) to Mr. 134 - 14 March 1911
 1110 A & R W.

at subsequent Paper

1155

of the 22. The document proposes
in the particular case in question
to sanction the grant of the award
proposed in the judgment, and to
and to inform the person that of
provisional award. It is suggested
be made fit, he may submit a
any other, he may submit any other,
that the provisions of the award
in future provisions in the lines
of those indicated in the Customs
Notes

H. J. R.
1/2

Wm. Reed

J. A. B.

Feb. 15

Other Dept. to see
eventually.
D. J. R.

at once

H. J. R.

15/II

of the 24. The Council proposes
in the particular case in question
to sanction the grant of the award
proposed in the Jackson's despatch in the
case to inform the person that if
particular case arises the, reports
he thinks fit, he may submit what
may seem to him to be the best
then the for being drawn to the
for future guidance in the lines
of those indicated in the Customs House
letter

H. J. R.
4/2

W. Reed

W. R. B.

Feb. 15.

Other Dept. to see
materially.
H. J. R.

at once

H. J. R.

15/II

Any reply to this Letter
should be addressed to—
The Secretary,
Custom House,
London, E.C.,
and the following number
quoted.

No. 3132
1911

C O

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REC'D
FEB 10 1911

Custom House, London,
9th February, 1911.

Sir,

In reply to Mr. Fiddes' letter of the 26th ultimo, No. 1353/10-11, I am directed by the Board of Customs and Excise to inform you that the law empowers them at their discretion to reward any person who informs them of any offence relating to Customs and Excise, or assists in the recovery of any fine or penalty provided that a reward exceeding £50 shall not be paid in any case without the consent of the Treasury (see Section 32 of the Inland Revenue Regulation Act, 1890, as applied to Customs and Excise by the Excise Transfer Order 1909).

Subject to the limit of £50, the Board have laid down fixed scales of rewards which cover routine cases. The rewards in ordinary smuggling cases are paid according to the rules set out in the accompanying Extracts from the Customs Accounts Code, which are, briefly, a regulated distribution among the officers concerned of a total reward amounting to the average value of the contraband seized, plus one half of the penalties recovered. Paragraphs 122 and 123 show the cases which do not fall within the rules and are specially considered by the Board, and the rules in general are subject to variation in any particular case at the discretion of the Board.

There

There are a great many other cases where the actual fines recovered give no index whatever to the actual value of the detection; e. g. license offences of all descriptions, adulteration of beer and tobacco, etc., and here a fixed sum is paid by way of reward according to the type of case, provided that the detection was not made by the Officer in the mere ordinary performance of his duties and that a conviction is obtained in Court or a sum paid in stay of proceedings. Any special case would however come before the Board for the assessment of the reward at their discretion.

Attempted frauds on the Revenue by means of a forgery are of rare occurrence, so far as this Department is concerned, and the reward in any such case would be specially dealt with. In regard to the particular case referred to in your letter, if, as the Board assume, the punishment of the offender is of considerable importance, and the officials concerned displayed marked zeal and intelligence in the detection of the offence over and above that which would be expected from them in the ordinary performance of their duties, the Board consider that the suggested reward of one half the fine recovered would not be excessive.

I am,

Sir,

Your obedient Servant,



Under Secretary of State,
Colonial Office.

Accounts Code.

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34-44.

lete paragraphs 110-115 and 119-142 inclusive, and
stitute:—

110. The following directions are to be observed in the preparation of the monthly seizure accounts on Form No. 399:—

- (a.) One seizure account only on Form 399 is to be sent up for a district, any seizures at sub-ports within the district being incorporated therein.
- (b.) Seizures effected by Officers of Coast Guard or others are to be included.
- (c.) An estimate of the number of sheets likely to be required for the account should be made, the sheets fastened together, 5 or 6 seizures being, on an average, allotted to each folio, and the necessary particulars inserted under the respective headings in as concise a form as possible.
- (d.) Care is to be taken that the name and rank of all the Officers entitled to share in rewards are shown in the proper column of the seizure account, and that the name of the Officer who discovered the seized goods is distinguished by a star placed immediately before it.

111. All sums received as deposits in lieu of proceedings before Magistrates, or on the release of vessels or goods from detention (see paragraphs 930, 937 and 949 of the Importation Code) are to be treated as miscellaneous cash pending the receipt of the Board's order fixing the amount of the fine, which is to be brought to account on Form No. 253 with the least possible delay. The amount of the fine (if any) retained to the depositor at sub-ports, the number and date of the entry, and the date when the fine is brought to account are to be quoted in the proper column of the seizure account.

112. Seizure accounts on Form 399 are to be forwarded to the Accountant and Comptroller-General, by whom they will be retained.

113. The accounts of seizures made under the Merchandise Marks Acts, of copyright works, of indecent or obscene articles, and of all prohibited articles not of a dutiable nature, both in London and at the Outports, are to be forwarded (on Form 401) to the Solicitor, the numbers appropriated to these seizures being recorded at the end of the ordinary seizure account. The Solicitor will submit the accounts to the Board, and, after notation of the Board's order thereon

Accounts Code.

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34-44.

Delete paragraphs 110-115 and 119-142 inclusive, and substitute:—

110. The following directions are to be observed as to the preparation of the monthly seizure accounts on Form No. 399:— (G.O. 1908)

- (a.) One seizure account only on Form 399 is to be sent up for a district, any seizures at sub-ports within the district being incorporated therein.
- (b.) Seizures effected by Officers of Coast Guard or others are to be included.
- (c.) An estimate of the number of sheets likely to be required for the account should be made, the sheets fastened together, 5 or 6 seizures being, on an average, allotted to each folio, and the necessary particulars inserted under the respective headings in as concise a form as possible.
- (d.) Care is to be taken that the name and rank of all the Officers entitled to share in rewards are shown in the proper column of the seizure account, and that the name of the Officer who discovered the seized goods is distinguished by a star placed immediately before it.

111. All sums received as deposits in lieu of proceedings before Magistrates, or on the release of vessels or goods from detention (see paragraphs 930, 937 and 940 of the Importation Code) are to be treated as miscellaneous cash pending the receipt of the Board's order fixing the amount of the fine, which is to be brought to account on Form No. 253 with the least possible delay, and the amount (if any) retained to the depositor. In all reports, the number and date of the entry and the fine as brought to account are to be quoted in the proper column of the seizure account.

112. Seizure accounts on Form 399 are to be forwarded to the Accountant and Comptroller-General, by whom they will be retained.

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Account Code.

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(G.O. 1908)

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Delete paragraphs 110-116 and 119-142 inclusive, and substitute:—

110. The following directions are to be observed as to the preparation of the monthly seizure accounts on Form No. 399:—

- (a.) One seizure account only on Form 399 is to be sent up for a district, any seizures at sub-ports within the district being incorporated therein.
- (b.) Seizures effected by Officers of Coast Guard or others are to be included.
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- (d.) Care is to be taken that the name and rank of all the Officers entitled to share in rewards are shown in the proper column of the seizure account, and that the name of the Officer who discovered the seized goods is distinguished by a star placed immediately before it.

111. All sums received as deposits in lieu of proceedings before Magistrates, or on the release of vessels or goods from detention (*see* paragraphs 930, 937 and 949 of the Importation Code) are to be treated as miscellaneous cash pending the receipt of the Board's order fixing the amount of the fine, which is to be brought to account on Form No. 253 with the least possible delay, and the balance (if any) returned to the depositor. At the Outports the number and date of the entry on which the fine is brought to account are to be entered in the proper column of the seizure account.

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Accounts Code.

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by the Officers concerned; they are to be forwarded to the Accountant and Comptroller-General to be filed.

(G.O. 1908)

114. The rewards ordinarily payable in respect of seizures comprise a reward on the goods calculated at the rates shown in paragraph 115, together with one-half of the penalties recovered before magistrates or of fines imposed by the Board upon offenders as a condition of waiving proceedings or of releasing of vessels, goods or baggage in smuggling cases. Subject to the exceptions specified in paragraphs 122, 124, and 136, payments on this basis will be made in London by the Accountant and Comptroller-General and at Outports by the Collectors; but no reward is to be paid until one month from the date of seizure or, in the event of an appeal or appeals having been made for mitigation of the fine imposed, from the date of the Board's order on the latest appeal.

119. The rewards on the goods are, in ordinary cases, to be calculated at the following rates:—

(G.O. 1908)

Description of Goods.	When a conviction is obtained.	When no conviction is obtained.
	s. d.	s. d.
Spirits, plain per proof gallon	10 5	3 4
" liqueurs, &c. " liquid "	14 7	4 2
" perfumed " " "	16 8	5 0
Cigars, if sound ... per lb.	2 8	1 4
Tobacco of other kinds (except Stalks), if sound.	2 8	1 0
Tobacco Stalks, ...	2 8	0 8
Cigars and Tobacco, damaged	0 4	0 4
Saccharin (including mixtures)	4 0	2 0
Other goods ...	One-half gross proceeds	One-quarter gross proceeds.

For the purposes of this paragraph the infliction of a fine on a ship in connection with smuggling is not to be regarded as a conviction in respect of the goods.

122. In the following cases application for rewards is to be made specially to the Board.

(G.O. 1908)

- When the total reward exceeds £20 or an individual share exceeds £10.
- When a seizure is made in consequence of information received.
- When the circumstances of a seizure are such as, in the opinion of the Collector at an Outport, or of an Inspector in London, to call for a reward of exceptional amount.

123. When an offender is convicted and no penalty is recovered, the Board will be prepared to consider an application for a special reward.

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by the Officers concerned, they are to be forwarded to the Accountant and Comptroller-General to be filed.

(G.O. 1908)

114. The rewards ordinarily payable in respect of seizures comprise a reward on the goods calculated at the rates shown in paragraph 119, together with one-half of the penalties recovered before magistrates or of fines imposed by the Board upon offenders as a condition of waiving proceedings or of releasing of vessels, goods or baggage in smuggling cases. Subject to the exceptions specified in paragraphs 122, 124, and 136, payments on this basis will be made in London by the Accountant and Comptroller-General and at Outports by the Collectors; but no reward is to be paid until one month from the date of seizure or, in the event of an appeal or appeals having been made for mitigation of the fine imposed, from the date of the Board's order on the latest appeal.

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(G.O. 1908)

Description of Goods.	When a conviction is obtained.		When no conviction is obtained.	
	s.	d.	s.	d.
Spirits, plain per proof gallon	10	5	3	4
" liqueurs, &c. " liquid "	14	7	4	2
" perfumed " " "	16	8	5	0
Cigars, if sound ... per lb.	2	8	1	4
Tobacco of other kinds (except Stalks), if sound.	2	8	1	0
Tobacco Stalks ...	2	8	0	8
Cigars and Tobacco, damaged	0	4	0	4
Saccharin (including mixtures)	4	0	2	0
Other goods ...	One-half gross proceeds.		One-quarter gross proceeds.	

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(G.O. 1908)

- (a.) When the total reward exceeds £20 or an individual share exceeds £10.
- (b.) When a seizure is made in consequence of information received.
- (c.) When the circumstances of a seizure are such as, in the opinion of the Collector at an Outport, or of an Inspector in London, to call for a reward of exceptional amount.

123. When an offender is convicted and no penalty is recovered, the Board will be prepared to consider an application for a special reward.

125. In London, the application of Waterguard Officers for the ordinary rewards out of fines and penalties are to be made on the approved form and forwarded to the Inspector of the Waterguard, by whom they will be transmitted with a proper schedule to the Accountant and Comptroller-General at the beginning of the second month following that in which the seizure was made. Care is to be taken that the amount of the fine or penalty, and the names (including the initials) of the Officers concerned are correctly stated.

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126. When a seizure is made by a crew of two or more Officers the distribution of the rewards will be governed, as a general rule, by the directions following. The informer's share (if any) is first to be deducted, and one-fourth of the remainder is then to be allocated to the Officer who actually discovered the goods or, in the event of more than one Officer being concerned, in equal shares to the Officers whose joint action led to the discovery. The remaining three-fourths are to be divided amongst all the Officers concerned (including the actual finder or finders) in the proportions shown in the following table:—

Officers.	Seizing Crews.				
	An Examining or Preventive Officer with			A Chief Preventive Officer or other Superior Officer* and an Examining Officer or Preventive Officer with	
	One Preventive Man.	Two Preventive Men.	Three or more Preventive Men.	One Preventive Man.	Two or more Preventive Men.
Superior Officer.	—	—	—	9 20	6 20
Examining or Preventive Officer.	12 20	9 20	6 20	6 20	5 20
Preventive Man or Men.	8 20	11 20	14 20	5 20	9 20

* See paragraph 956 of the Importation Code, last sentence, as to seizures made under Writs of Assistance.
 † In the case of seizures made on patrol duty the proportions will be 9 and 11 respectively.

125. In London, the application of Waterguard Officers for the ordinary rewards out of fines and penalties are to be made on the approved form and forwarded to the Inspector of the Waterguard, by whom they will be transmitted with a proper schedule to the Accountant and Comptroller-General at the beginning of the second month following that in which the seizure was made. Care is to be taken that the amount of the fine or penalty, and the names (including the initials) of the Officers concerned are correctly stated.

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126. When a seizure is made by a crew of two or more Officers the distribution of the rewards will be governed, as a general rule, by the directions following. The informer's share (if any) is first to be deducted, and one-fourth of the remainder is then to be allocated to the Officer who actually discovered the goods or, in the event of more than one Officer being concerned, in equal shares to the Officers whose joint action led to the discovery. The remaining three-fourths are to be divided amongst all the Officers concerned (including the actual finder or finders) in the proportions shown in the following table:—

Officers.	Seizing Crews.				
	An Examining or Preventive Officer with			A Chief Preventive Officer or other Superior Officer* and an Examining Officer or Preventive Officer with	
	One Preventive Man.	Two Preventive Men.	Three or more Preventive Men.	One Preventive Man.	Two or more Preventive Men.
Superior Officer.	—	—	—	9 20	6 20
Examining or Preventive Officer.	12 20	9 20†	6 20	6 20	5 20
Preventive Man or Men	8 20	11 20†	14 20	5 20	9 20

* See paragraph 956 of the Importation Code, last sentence, as to seizures made under Writs of Assistance.

† In the case of seizures made on patrol duty the proportions will be 8 and 11 respectively.

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128. Preventive Men in charge of crews are to rank as Examining or Preventive Officers for purposes of (G.O. 1910B) reward.

129. In the case of seizures made by information, the share of the informer will usually be one-third of the sum granted as a reward. Payments to informers are to be made by the Solicitor in London, and at an Outport by the Collector, who should in all cases satisfy himself, as far as practicable, that the person claiming the reward was the actual informer.

130. Subordinate Officers are entitled to the sole reward on account of seizures made by them unless a superior Officer should be actually present or have given information or directions which led to the seizure being made.

131. Officers who conduct the prosecution of an offender before Magistrates, or who are consulted as to the method of dealing with an offender from whom a seizure has been made, are not, merely on that account, to participate in a reward.

132. No Officer is to insert his name in any return or seizure note unless he was actually present and assisted in making the seizure therein specified. The names of subordinate Officers present at a seizure and entitled to share in the reward are to be inserted in the seizure note by the superior Officer.

133. The Board will not allow any private agreement between Officers, or between Officers and informers, as to sharing rewards for seizures.

134. Rewards to the Coast Guard and the Police or Constabulary will be paid subject to Regulations issued by the Admiralty and the Police or Constabulary Authorities respectively.

135. The distribution of rewards payable for seizures made by the Army, Navy, and Marines will be governed by the Orders in Council and Proclamations issued under Section 215 of the Customs Consolidation Act, 1876.

136. Rewards to Officers of the Post Office, for seizures of contraband goods in letters, parcels, or other postal packets, are in all cases to be calculated at the conviction rate on the goods (see paragraph 119). But no reward is ordinarily payable to such Officers out of any fine or penalty which may be recovered. The reward on the goods, however small, is to be paid by Collectors at the Outports, and in London by the Accountant and Comptroller-General, to the Officer of the Post Office who actually discovers or suspects the dutiable nature of the goods seized, and his receipt must be given for the amount; but, in order that

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(G.O. 1908)

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vouchers for trifling amounts may be avoided, the payment of the rewards due to the Officers of any office is to be deferred until they amount to a sum of at least one shilling.

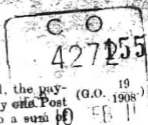
If, in connection with a Post Office seizure, the offender should be traced by special investigation and inquiry of a detective nature on the part of the Customs Waterguard Staff, and a fine is recovered, one-half of the fine may be paid as a reward to the Customs Officer or Officers concerned, under the conditions laid down in the preceding paragraphs.

137. When a seizure is made through the action of a Postal Official, a seizure note in the usual form is to be filled up and signed by that Officer, and his name and rank will be given as the seizing Officer in the monthly account of seizures from the port where attention has been called to the package, the other particulars being obtained for insertion in the account, in the event of the package having been sent elsewhere for examination, by communication with the Collector at the port where the package has been opened. The seizure is not to be included in the seizure account from the latter port, but is to be included in the account of the disposal of seizures (Form No. 403) sent from that port, under the number assigned to the seizure at the port of first detention.

Postmasters are, upon application, to be furnished by Collectors with copies of the approved form of seizure note.

138. In order that the Accountant and Comptroller-General may exercise a proper check upon the accounts, each receipt for a reward is to show the number and year of the seizure, the quantity and description of the goods in respect of which the reward is paid, and, if the reward on goods be based on the proceeds, the amount of such proceeds, together with the number and date of the entry by which brought to account. The amount of the fine or penalty is also to be shown. Should the offender have been committed to prison in default of payment, that fact must also be stated on the receipt.

139. The reward on the goods in connection with any particular seizure is, as a rule, to be paid on the same voucher (Form No. 281) as the reward out of the fine. When the total reward from both sources is less than one shilling, the whole amount is to be carried to the Crown's account, except in the cases specified in paragraph 136.



Vouchers for trifling amounts may be avoided, the payment of the rewards due to the Officers of any ^{and Post} Office is to be deferred until they amount to a sum of at least one shilling.

If, in connection with a Post Office seizure, the offender should be traced by special investigation and inquiry of a detective nature on the part of the Customs Waterguard Staff, and a fine is recovered, one-half of the fine may be paid as a reward to the Customs Officer or Officers concerned, under the conditions laid down in the preceding paragraphs.

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140. Collectors are to transmit to the Accountant and Comptroller-General, monthly, an account, on Form No. 403, of all the seizures destroyed, restored, or sold during the preceding month. This account is to show the number, month and year, of each seizure so disposed of, and it is not to include tobacco forwarded to the King's Warehouse in conformity with paragraph 160 of the Importation Code. (G.O. 19/1908.)

141. When payments of rewards for seizures, &c., are made to more than one Officer on the same document the amount paid to each Officer must be shown in order to satisfy the requirements of the Exchequer and Audit Department; and each Officer must sign for his separate portion and affix a receipt stamp where the sum received amounts to two pounds or upwards.

142. The rewards allowed by the preceding paragraphs, whether in respect of the value of seized goods or in respect of fines and penalties recovered, as well as the mode of their distribution, are subject to variation in any case at the discretion of the Board.

140. Collectors are to transmit to the Accountant and Comptroller-General, monthly, an account, on Form No. 403, of all the seizures destroyed, restored, or sold during the preceding month. This account is to show the number, month and year of each seizure so disposed of, but is not to include tobacco forwarded to the King's Warehouse in conformity with paragraph 760 of the Importation Code. (G.O. 19/1908)

141. When payments of rewards for seizures, &c. are made to more than one Officer on the same document the amount paid to each Officer must be shown in order to satisfy the requirements of the Exchequer and Audit Department; and each Officer must sign for his separate portion and affix a receipt stamp where the sum received amounts to two pounds or upwards.

142. The rewards allowed by the preceding paragraphs, whether in respect of the value of seized goods or in respect of fines and penalties recovered, as well as the mode of their distribution, are subject to variation in any case at the discretion of the Board.

M.O.
4272/4
C.N.P.

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DRAFT

The Secy to the
Treasury

ansd. 4655

22 Feb '11

MINUTE. 15/2

- Mr. Naall 17/2
- Mr. Biddle 20 f.s.
- Mr. Fiddes.
- Mr. Just.
- Mr. Cox.
- Sir C. Lucas.
- Sir F. Hopwood.
- Col. Seely.
- Lord Crewe.

Copy sent for 13/2 - 14 March 1888

Sir,
I am directed by
H^r Secy Hanout to
transmit to you, to be
laid before the L.C of
the Treasury, the

~~bag 24 Feb, 21 Dec 10.~~
125/10
Customs of Feb
(amble in orig. to secy)
4272/4

accompanying copy of
proposal made
request by the bag of
the S.A.P. that rewards
should be given to Customs

officials who have
prevented losses to
the Revenue.

2. Mr. Harcourt
proposes, if the H. C.

is in ~~the~~ consensus, to sanction,
in the particular

case in question, the
grant of the awards

suggested by Mr.

in the 5th par. of his despatch of the 21st of Dec^r,

Jackson, & to inform

the Gov that, if he

thinks fit, he may

submit rules for future

guidance, on the lines

of those indicated in

the L^r from the Board
of Customs of the 9th
of Feb.

(Signed) G. V. FIDDES.