ANNO TRICESIMO SEPTIMO

Georgii III. Regis.

CAP. LXXII.

An Act for prohibiting the Importation of Cambricks and *French* Lawns into this Kingdom, not being of the Manufacture of *Ireland*, except for the Purpose of being warehouſed for Exportation.

[6th *June* 1797.]

Preamble. 27 *Geo.* III, Cap. 13, and

WHEREAS by an Act, paſſed in the Twenty-ſeventh Year of the Reign of His preſent Majeſty, intituled, *An Act for repealing the ſeveral Duties of Cuſtoms and Exciſe, and granting other Duties in lieu thereof, and for applying the ſaid Duties, together with the other Duties compoſing the Publick Revenue; for permitting the Importation of certain Goods, Wares, and Merchandize, the Produce or Manufacture of the* European *Dominions of the* French *King, into this Kingdom; and for applying certain unclaimed Monies, remaining in the Exchequer for the Payment of Annuities on Lives, to the Reduction of the National Debt;* among other Things the Importation of Cambricks and Lawns was allowed directly from *France*, or any of the *European* Dominions of the *French* King, under certain Regulations and Reſtrictions, and on Payment of certain Duties, as ſet forth and deſcribed in Table C. annexed to the ſaid recited Act: And whereas among other Things it is enacted by the ſaid recited Act, that all Cambricks or *French* Lawns, legally imported, ſhall and may be worn, uſed, or conſumed in *Great Britain*, or ſold or expoſed to ſale therein, and ſhall not be ſubject to Seizure or Forfeiture

on Account of such Importation, nor shall the Person or Persons who shall import, wear, use, or consume the same, or who shall sell or expose to sale the same, or have the same in his, her, or their Custody or Possession, be liable to any Penalty or Penalties, Fine or Fines whatever, for wearing, using, consuming, selling, or exposing to sale the same: And whereas the Importation of Cambricks and *French* Lawns was allowed by the said recited Act, and the Duty was charged, and such Cambricks and *French* Lawns were permitted to be worn, used, and consumed, and to be sold or exposed to sale, in consequence of a Treaty of Navigation and Commerce concluded between His *Britannick* Majesty and the *French* King, the Operation of which Treaty is now at an End; and it is therefore expedient that so much of the said recited Act as permits the Importation of Cambricks and *French* Lawns, on Payment of Duty, to be worn, used, or consumed, and to be sold, or exposed to sale in this Kingdom, should be repealed; and it is also expedient, that so much of an Act, passed in the Thirty-fourth Year of His present Majesty's Reign, intituled, *An Act for repealing so much of an Act, passed in the Seventh Year of the Reign of His present Majesty, as directs, that no Cambrick or Lawn shall be imported from* Ireland *until the Importation of Cambricks and* French *Lawns into* Ireland *shall be prohibited by Law; to allow the Importation of Cambricks and* French *Lawns from the* Austrian Netherlands *for a limited Time; for making more effectual an Act, made in the Twenty-fourth Year of the Reign of His present Majesty, for the more effectual Prevention of Smuggling in this Kingdom; and for preventing the fraudulent relanding of Tobacco shipped for Exportation,* as permits or allows any Cambricks or *French* Lawns which shall have been imported and warehoused for Exportation, to be delivered from the Warehouse or Warehouses in which the same shall have been deposited, on Payment of such Duty for the same as Cambricks and *French* Lawns are by the said recited Act made subject and liable to, should in like Manner be repealed; and that no Cambrick or Lawn whatever, other than of the Manufacture of *Ireland*, should, during the Continuance of this Act, be permitted to be imported, except to be warehoused in this Kingdom for Exportation therefrom, according to the Laws now in Force: 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 so much of the said recited Acts, or of any other Act or Acts of Parliament, as permits or allows the Importation of Cambricks or *French* Lawns, other than to be lodged in a Warehouse according to Law, in order to be again exported from thence, or the taking of any such Cambricks and Lawns out of any Warehouse or Warehouses on Payment of Duty, to be worn, used, and consumed, or to be sold or exposed to sale in this Kingdom, shall be, and the same is and are hereby repealed; and that all Penalties and Forfeitures relating to the Importation, wearing, using, and consuming such Cambricks and Lawns, and to the selling or exposing the same to sale in this Kingdom, shall, from and after the passing of this Act, be in full Force, in like Manner as if the said recited Acts, allowing such Cambricks and Lawns to be imported, and to be used, worn, and consumed, and to be sold or exposed to sale in this Kingdom, had not been made: Provided always, that nothing in this Act contained shall extend, or be construed to extend, to prohibit or prevent the Importation into this Kingdom of Cambricks or Lawns of the Manufacture of *Ireland*.

34 *Geo.* III, Cap. 50, recited.

So much of recited or any other Acts, as permits the Importation of Cambricks or *French* Lawns, except for Exportation, or the taking them out of Warehouses for Home Consumption, repealed.

Act not to prevent the Importation of *Irish* Cambricks or Lawns.

II. And

From *June* 1, 1797, *Iriſh* Cambricks and Lawns after Entry at the Cuſtom Houſe, to be marked by the Officer.

II. And it is hereby further enacted by the Authority aforeſaid, That all Cambricks and Lawns of the Manufacture of *Ireland*, which, from and after the Firſt Day of *June* One thouſand ſeven hundred and ninety-ſeven, ſhall be imported or brought into this Kingdom, ſhall, after the ſame have been entered at the Cuſtom Houſe, and before the ſame ſhall be diſcharged by the Officers, and delivered into the Cuſtody of the Importer or his Agent, be marked, ſtamped, or ſealed in ſuch Manner, and with ſuch Mark or Stamp, or Seal, and by ſuch Officer or Officers, as the Commiſſioners of His Majeſty's Cuſtoms in *England*, or any Four or more of them, for the Time being, or the Commiſſioners of His Majeſty's Cuſtoms in *Scotland*, or any Three or more of them, for the Time being, ſhall reſpectively direct or appoint for that Purpoſe.

Perſons having Cambricks and Lawns for Sale, may till *Aug.* 1, 1797, have them ſo marked at the Cuſtom Houſe, on Proof of their having been legally imported, *&c.*

III. And it is hereby further enacted by the Authority aforeſaid, That if any Perſon or Perſons, having in his, her, or their Cuſtody or Poſſeſſion, in any Part of this Kingdom for Sale, any ſuch Cambricks or Lawns ſo directed to be marked, ſtamped, or ſealed as aforeſaid, or any other Cambricks or *French* Lawns, ſhall, on or before the Firſt Day of *Auguſt* One thouſand ſeven hundred and ninety-ſeven, bring or cauſe ſuch Cambricks or Lawns to be brought to the Cuſtom Houſe for the Port neareſt to the Place where ſuch Cambricks and Lawns ſhall be, and ſhall make Proof on Oath before the Collector and Comptroller, or other principal Officer of the Cuſtoms at ſuch Port (which Oath ſuch Collector and Comptroller, or other principal Officer is and are hereby required to adminiſter without Fee or Reward) that the ſaid Cambricks and Lawns were lawfully imported, and for ſuch as are liable to the Payment of Duties, that the legal Duties due and payable to His Majeſty, were paid upon the Importation of ſuch Cambricks and Lawns, if the ſame were imported by him, her, or them, or that ſuch Cambricks or Lawns was or were purchaſed by ſuch Perſon or Perſons (having Poſſeſſion thereof) in a legal fair Way of Trade, and that he, ſhe, or they verily believe the legal Duties due and payable to His Majeſty have been duly paid for the ſame, mentioning the Time when and the Port where ſuch Cambricks and Lawns were imported, or the Time when and of whom ſuch Cambricks and Lawns were purchaſed (as the Caſe may be), and ſuch Cambricks and Lawns ſhall be thereupon, without Fee or Reward, marked, ſtamped, or ſealed, in ſuch Manner, and with ſuch Mark, Stamp, or Seal, and by ſuch Officer or Officers, as the ſaid Commiſſioners of the Cuſtoms in *England* and *Scotland* reſpectively, ſhall direct and appoint for that Purpoſe.

After *Aug.* 1, 1797, any Cambricks or Lawns found, except in a legal Warehouſe for Exportation, and not marked, to be forfeited.

IV. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid Firſt Day of *Auguſt* One thouſand ſeven hundred and ninety-ſeven, in caſe any Cambricks, or *Iriſh* or *French* Lawns, ſhall be found in any Shop, Warehouſe, or other Place whatſoever upon Land, within this Kingdom, not being in a Warehouſe wherein the ſame ſhall have been depoſited according to Law in order to be again exported, and ſhall not be marked, ſtamped, or ſealed as herein is directed, the ſame ſhall be forfeited and loſt, and ſhall and may be ſeized by any Officer or Officers of the Cuſtoms, and ſhall and may be proſecuted, recovered, and diſpoſed of in the ſame Manner, and by the ſame Rules and Regulations as Cambricks and *French* Lawns clandeſtinely imported and run into this Kingdom, may be proſecuted, recovered, and diſpoſed of by any

Commissioners of Customs may direct Lawns to be marked in any Place.

any Law now in Force: Provided always, that if it shall be found impracticable or inconvenient in any Case to bring such Cambricks or Lawns to the Custom House to be marked, stamped, or sealed as herein directed, it shall and may be lawful for the said Commissioners of His Majesty's Customs in *England* and *Scotland* respectively, to authorize and direct their Officers to mark, stamp, or seal such Goods in such other Place or Places as they shall think fit, on all the Regulations and Restrictions of this Act being fully complied with.

Penalty for counterfeiting Marks, &c.

V. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall at any Time forge or counterfeit any Mark, Stamp, or Seal, to resemble any Mark, Stamp, or Seal which shall be provided or used in pursuance of this Act, or shall forge or counterfeit the Impression of any such Mark, Stamp, or Seal upon any Goods required by this Act to be marked, stamped, or sealed, or shall sell, or expose to sale, or have in his, her, or their Custody or Possession, any such Cambricks or Lawns with a counterfeit Mark, Stamp, or Seal thereon, knowing the same to be counterfeited, all and every such Offender and Offenders, and his, her, and their Aiders, Abettors, and Assistants, shall, for every such Offence, forfeit the Sum of One hundred Pounds, One Moiety to His Majesty, and the other Moiety to such Officer or Officers of the Customs as shall sue and prosecute for the same, and such Offender and Offenders shall also be adjudged to suffer One Year's Imprisonment.

Cambricks and *French* Lawns seized, to be sold for Exportation only.

VI. And be it further enacted by the Authority aforesaid, That all Cambricks and *French* Lawns which have been or shall be seized and condemned, shall be sold and disposed of for Exportation only, under and subject to the several and respective Rules, Regulations, Restrictions, Penalties, and Forfeitures by the Laws in Force on and immediately before the passing of the said recited Act in the Twenty-seventh Year of the Reign of His present Majesty.

Commissioners of Customs may cause Lawns, seized at other Ports, to be sold in *London*.

VII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners of His Majesty's Customs, to cause all Cambricks and Lawns which have been or may hereafter be seized and condemned at any other Port than the Port of *London*, to be brought to and publickly sold in the said Port of *London*.

No Cambricks or *French* Lawns to be exported but from *London*, and in Vessels of 100 Tons or upwards.

VIII. And be it further enacted by the Authority aforesaid, That no Cambricks or *French* Lawns, whether the same shall have been imported and warehoused for Exportation, or shall have been seized and condemned for any Cause of Forfeiture, shall be exported from, or entered for Exportation at any other Port than the Port of *London*, or in any Ship or Vessel which shall not be of the Burthen of One hundred Tons or upwards.

Recovery and Application of Fines.

IX. And be it further enacted by the Authority aforesaid, That all Fines, Penalties, and Forfeitures imposed by this Act, shall and may be sued for, levied, and recovered by such Ways, Means, or Methods as any Fine, Penalty, or Forfeiture is or may be recovered by any Law or Laws of Customs, or by any Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Exchequer in *Scotland*; and that One Moiety of every such

Fine, Penalty, and Forfeiture ſhall be to the Uſe of His Majeſty, His Heirs and Succeſſors, and the other Moiety to him or them who ſhall inform, ſue for, or diſcover the ſame.

Limitation of Actions.

X. And it is hereby further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall at any Time or Times be ſued or proſecuted for any Thing by him or them done or executed in purſuance of or by Colour of this Act, or of any Matter or Thing in this Act contained, ſuch Action or Proſecution ſhall be commenced within the Space of Three Months after the Offence ſhall be committed; and ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give this Act, and the Special Matter in Evidence for his and their Defence, and that the ſame was done in purſuance and by the Authority of this Act; and if it ſhall appear ſo to have been done, then the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited, or diſcontinue his Action after the Defendant or Defendants have appeared, or if Judgement ſhall be given upon any Verdict or Demurrer againſt the Plaintiff, the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame as the Defendant or Defendants hath or have in other Caſes by Law.

General Iſſue.

Treble Coſts.

Act not to extend to Cambricks or *French* Lawns imported and warehouſed by Licence of the Cuſtoms, before *Sept.* 1, 1797.

XI. Provided always, That nothing in this Act contained ſhall extend to hinder or prevent, or be conſtrued to extend to hinder or prevent, the Entry for Home Conſumption of any Cambricks or *French* Lawns which have been imported and warehouſed, or may be imported by Licence from the Commiſſioners of the Cuſtoms to be warehouſed, on or before the ſaid Firſt Day of *September* One thouſand ſeven hundred and ninety-ſeven, and ſuch Cambricks and *French* Lawns ſhall be ſubject and liable to all the Rules, Regulations, Reſtrictions, Penalties, and Forfeitures of this Act.

No ſuch Licence to be granted but on Proof that the Cambricks and *French* Lawns were ordered before *May* 1, 1797.

XII. Provided nevertheleſs, and it is hereby declared, That no Cambricks or *French* Lawns which ſhall be imported (under Licence) after the paſſing of this Act ſhall be admitted to Entry for Home Conſumption, unleſs Proof be firſt made, to the Satisfaction of the Commiſſioners of the Cuſtoms, that the Importer or Proprietor of ſuch Cambricks and *French* Lawns was actually and *bonâ fide* under Contract for ſuch Cambricks and *French* Lawns, or had given Orders and Directions for the Supply thereof before the Firſt Day of *May* One thouſand ſeven hundred and ninety-ſeven.

Continuance of Act.

XIII. And be it further enacted by the Authority aforeſaid, That this Act ſhall continue and be in Force until Thirty Days after the Commencement of the next Seſſion of Parliament, and no longer.

FINIS.