Anno sexto

Georgii III. Regis.

CAP. XIX.

An Act for the more effectual Encouragement of the Trade and Manufacture of Leather Gloves and Mitts in this Kingdom.

WHEREAS, till of late years, great Quantities of Foreign Kid and Lamb Skins were yearly imported into this Kingdom, in order to be manufactured into Gloves and Mitts, to the great Benefit of Trade, and Employment of the Poor in the Manufacture thereof: And whereas large Quantities of Foreign manufactured Leather Gloves and Mitts are clandestinely brought into this Kingdom, whereby not only the Revenue is defrauded, but many thousand of His Majesty's Subjects, employed in the Manufacture of Leather Gloves and Mitts, are deprived of the Means of providing for themselves and their Families: And whereas the preventing the Importation of such Foreign manufactured Leather Gloves and Mitts, would tend to the Increase of the Trade and Manufactures Preamble.

of this Kingdom, and would also encourage the Importation of Foreign Kid and Lamb Skins: May it 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 if any Foreign manufactured Leather Gloves or Mitts shall, from and after the Twenty fourth Day of June, One thousand seven hundred and sixty six, be imported, brought, or conveyed into this Kingdom, or any Part of the British Dominions, the same shall be, and are hereby declared to be, forfeited, and shall be liable to be searched for and seized by any Officer or Officers of the Customs or Excise, in like manner as other prohibited and uncustomed Goods are; and shall be disposed of as is herein after mentioned: And every Person or Persons who shall bring, convey, or import, or shall cause to be brought, conveyed, or imported, into this Kingdom, or any Part of the British Dominions, any such Leather Gloves or Mitts, or shall be aiding, abetting, or assisting therein; or, being a Vender or Venders, Retailer or Retailers, of any Kind of Leather Gloves or Mitts, in whose Custody or Possession any such Foreign manufactured Leather Gloves or Mitts shall be found; or who shall sell, or expose to Sale, any such Leather Gloves or Mitts; or who shall conceal any such Leather Gloves or Mitts, with Intent to prevent the Forfeiture or Seizure of the same; shall, over and above the Forfeiture and Loss of such Leather Gloves and Mitts, and all Interest which he, she, or they, may have therein, for every such Offence, forfeit and pay the Sum of Two hundred Pounds, together with Double Costs of Suit.

From and after 24 *June*, 1766, all Foreign manufactured Leather Gloves or Mitts brought into any Part of the *British* Dominions, are liable to Forfeiture;

and the Importer,

Vender, Retailer,

Exposer to Sale,

or Concealer thereof,

forfeit moreover 200 *l.* with Double Costs of Suit.

Provided always, and be it further enacted by the Authority aforesaid, That if any such Leather Gloves or Mitts shall be found and seized in that Part of Great Britain called England, out of the Cities of London and Westminster and the Limits of the Weekly Bills of Mortality, and the same shall not exceed in Value the Sum of Twenty Pounds, it shall and may be lawful for Two or more of His Majesty's Justices of the Peace for such County, City, Borough, or Place, where the same shall be found and seized, upon Information before them that such Leather Gloves or Mitts were seized as Leather Gloves or Mitts unduly brought into and not manufactured within this Kingdom, to hear and determine the same,

Any of the said Goods seized in *England*, out of the Cities of *London* and *Westminster*, and Limits of the Weekly Bills of Mortality, not exceeding 20 *l.* in Value,

may be proceeded against, before, and determined by 2 Justices;

ſame, and to proceed to Condemnation or Diſcharge thereof as ſhall ſeem juſt; any thing herein before contained to the contrary notwithſtanding.

if the Goods are condemned, they are to be publickly ſold, for Exportation;

And be it further enacted by the Authority aforeſaid, That after Condemnation thereof in due Courſe of Law, all and every ſuch Leather Gloves and Mitts ſhall be publickly ſold, to the beſt Advantage, for Exportation, by the Candle; and One Moiety of the Produce, or Money ariſing by the Sale of ſuch Leather Gloves and Mitts, ſhall be to the Uſe of His Majeſty, His Heirs, and Succeſſors, and the other Moiety thereof to the Uſe of the Officer or Officers who ſhall ſeize and ſecure the ſame: And no ſuch Leather Gloves or Mitts ſhall be conſumed or uſed in this Kingdom, but ſhall be exported again to ſome Port or Place not being any Part of His Majeſty's Dominions; and ſhall not be ſold, otherwiſe than on Condition to be exported as aforeſaid: And ſuch Leather Gloves and Mitts ſhall not be delivered out of the Warehouſe, or Place wherein the ſame ſhall have been ſecured, until ſufficient Security be firſt given to the King's Majeſty, His Heirs and Succeſſors, which the Commiſſioners of His Majeſty's Cuſtoms or Exciſe are hereby impowered and required to take, that the ſame, and every Part thereof, ſhall be exported as aforeſaid, and not landed again in any Part of His Majeſty's Dominions; which Securities ſhall be diſcharged without Fee or Reward, upon Certificate returned under the common Seal of the Chief Magiſtrate in any Place or Places beyond the Seas, and out of His Majeſty's Dominions, or under the Hands and Seals of Two known Engliſh Merchants upon ſuch Place, that the Goods were there landed; or upon Proof, by credible Perſons, that ſuch Goods were taken by Enemies, or periſhed in the Seas; the Examination and Proof thereof being left to the Judgement of the ſaid Commiſſioners: Which Commiſſioners are hereby reſpectively impowered, from time to time, to call upon the Perſon or Perſons who have entered into ſuch Security, to produce ſuch Certificate or Proof as aforeſaid.

and One Moiety of the Produce is to go to the King;

and the other to the Officer;

and Security is to be given for the due Exportation thereof, before Delivery of the ſame out of the Warehouſe where ſecured;

which is to be diſchargedupon a Return of a Certificate, or Proof of ſuch Exportation.

In caſe of Doubt whether ſuch Goods are of Foreign Manufacture, the *Onus probandi* is to lie on the Poſſeſſor;

And be it further enacted by the Authority aforeſaid, That if any ſuch Leather Gloves or Mitts ſhall be ſeized, by virtue and in purſuance of this Act, and any Doubt or Queſtion ſhall afterwards ariſe where the ſame were manufactured, the Proof ſhall lie upon the Perſon or Perſons in whoſe Cuſtody or Poſſeſſion the ſame were found, and not upon the Proſecutor or Proſecutors, Plaintiff or Plaintiffs; and in caſe no Proof ſhall be given, that ſuch Leather Gloves or Mitts were manu-

factured within Great Britain, then the ſame ſhall, without any further Proceeding, be taken and held to have been manufactured out of Great Britain, and contrary to, and in Violation of, this Act; any Law or Cuſtom to the contrary notwithſtanding.

and the Poſſeſſor (not importing or concealing the ſame) but diſcovering the Vender,

Provided always, and be it further enacted, That if any Perſon or Perſons, in whoſe Cuſtody or Poſſeſſion any ſuch Leather Gloves or Mitts ſhall be ſeized by virtue and in purſuance of this Act (ſuch Perſon or Perſons not importing or concealing the ſame) ſhall diſcover, upon Oath, before any One or more Juſtice or Juſtices of the Peace, the Perſon or Perſons who ſold ſuch Leather Gloves or Mitts to ſuch Perſon or Perſons in whoſe Cuſtody or Poſſeſſion the ſame ſhall be ſeized, ſo as that ſuch Perſon or Perſons, ſo ſelling the ſame, ſhall or may be proſecuted and convicted, according to the Intent of this Act, as the Seller thereof, in caſe the ſame ſhall be, or be taken and held to be, within the Intent and Meaning of this Act, manufactured out of Great Britain, ſuch Perſon or Perſons, ſo diſcovering as aforeſaid, ſhall be, and is and are hereby freed and diſcharged of and from all and every the Penalties and Forfeitures by this Act inflicted upon all and every Perſon and Perſons, being a Vender or Venders, Retailer or Retailers, having in his, her, or their Cuſtody or Poſſeſſion any ſuch Leather Gloves or Mitts not made or manufactured in Great Britain; and of and from any Proof that the ſame, ſo ſeized as aforeſaid, were manufactured in Great Britain.

ſo as he may be proſecuted to Conviction,

is diſcharged from the Penalty and Forfeiture,

and from giving Proof as to the Place of their Manufacture.

Recovery of Penalties and Forfeitures;

And be it further enacted by the Authority aforeſaid, That all pecuniary Penalties and Forfeitures, by this Act impoſed, ſhall and may be ſued for and recovered in any of His Majeſty's Courts of Record at Weſtminſter, or in the Court of Exchequer at Edinburgh, reſpectively, by Action, Bill, Plaint, or Information, in the Name of His Majeſty's Attorney General, or in the Name of His Majeſty's Advocate in Scotland, or in the Name or Names of ſome Officer or Officers of the Cuſtoms or Excile; and that One Moiety of every ſuch Penalty and Forfeiture ſhall be to His Majeſty, His Heirs and Succeſſors, and the other Moiety thereof to the Officer or Officers of the Cuſtoms or Excile, who ſhall inform and proſecute for the ſame.

and Application thereof.

Officer neglecting for 1 Month to proſecute for any pecuniary Penalty,

Provided always, and it is hereby further enacted, That if any Officer or Officers of the Cuſtoms or Excile ſhall neglect or refuſe, for the Space of One Calendar Month after ſuch Condemnation as aforeſaid, to proſecute to effect any Perſon or Perſons, for any pecuniary

niary Penalty or Forfeiture by this Act inflicted upon Offenders againſt the ſame; that then it ſhall be lawful for any Perſon or Perſons whomſoever, to ſue for, proſecute, and recover, the reſpective pecuniary Penalties and Forfeitures by this Act inflicted, in like Manner as is herein before directed, with regard to the Officers of the Cuſtoms or Exciſe; and One Moiety of the ſaid pecuniary Forfeitures, when recovered, ſhall, in ſuch Caſe, go and be applied to the Uſe of His Majeſty, His Heirs and Succeſſors, and the other Moiety to the Perſon or Perſons who ſhall ſue or proſecute for the ſame reſpectively. any other Perſon may ſue for and recover the ſame.

Provided alſo, and be it further enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be in any wiſe conſtrued to extend, to ſubject any Perſon or Perſons who ſhall wear, or make uſe of, ſuch Leather Gloves or Mitts as aforeſaid, as Part of his, her, or their Apparel or Dreſs only, to any Forfeiture, or to any pecuniary Penalty or Penalties inflicted by this Act, or to any Proof that the ſame were manufactured within Great Britain. The Weavers of ſuch Goods are not ſubject to any Penalty, Forfeiture, or Proof, upon that Account.

Provided always, and be it enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued or deemed to extend, in any wiſe to repeal any of the Powers and Authorities granted in and by an Act made in the Eleventh Year of the Reign of his late Majeſty King George the Firſt, intituled, An Act for more effectual preventing Frauds and Abuſes in the public Revenues; for preventing Frauds in the Salt Duties, and for giving Relief for Salt uſed in the curing of Salmon and Cod Fiſh, in the Year One thouſand ſeven hundred and nineteen, exported from that Part of *Great Britain* called *Scotland*; for enabling the Inſurance Companies to plead the General Iſſue in Actions brought againſt them; and for ſecuring the Stamp Duties upon Policies of Inſurance; with regard to Seizures of any prohibited or run Goods, Wares, Merchandizes, or Commodities. This Act does not extend to repeal any of the Powers of the Act of 11 *Geo.* I, with regard to Seizures of prohibited or run Goods.

And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons, for any thing done in purſuance of this Act, the Defendant or Defendants, in ſuch Action or Suit, may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence at any Trial to be had thereupon; and that the ſame was done by the Authority of this Act: And if it ſhall appear to have been ſo done, then the Jury ſhall find for the Defendant or Defendants: And if the Plaintiff ſhall be nonſuited, General Iſſue.

nonsuited, or discontinue his Action after the Defendant or Defendants shall have appeared, or if Judgement shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall recover Treble Costs, and have the like Remedy for the same as Defendants have in other Cases by Law.

Treble Costs.

Defendant allowed, before Issue joined, to pay Money into Court.

Provided always, and be it further enacted, That, in every such Action, it shall and may be lawful for the Defendant or Defendants, by Leave of the Court where such Action shall be depending, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall see fit, as Amends for the Matter or Cause complained of in such Action, whereupon such Proceedings, Orders, and Judgements, shall and may be had, made, and given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

FINIS.