



ANNO QUINQUAGESIMO NONO

# GEORGII III. REGIS.

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*Cap. xxviii.*

An Act for establishing an Assay Office in the City  
of *Glasgow*. [19th May 1819.]

**W**HEREAS the Gold and Silversmiths and Plate Workers in and about the City of *Glasgow* in the County of *Lanark*, and in the Western Parts of *Scotland*, suffer great Hardship and Inconvenience in the Exercise of their Trades for want of Assayers at a convenient Place to assay and touch their Wrought Plate; for Remedy whereof, 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 *Robert Gray, William Gray, William Mitchell, Alexander Mitchell, Donald M'Callum, James Newlands, Philip Grierson, Luke Fraser Newlands, William M'Culloch, John Murray, James Brown Adshead, Robert Wilson, James Finlayson, Thomas Finlayson, Robert Reid, John Reid, Robert Duncan, Walter Gray, Peter Aitken, David Macdonald, James Downie, John Paterson, Andrew Burrell, John Heron, William Hannay, Robert Turnbull, and James Allan*, Gold and Silversmiths and Plateworkers in and about *Glasgow*, shall be and are hereby incorporated a Company of or belonging to the said City of *Glasgow*, and shall be called and known by the Name of *The Glasgow Goldsmiths Company*, and shall be Members of such Company so long as they live and reside in such Town, or within Forty Miles to the West and South thereof; which Company shall be enabled and is hereby authorized, on or before the First Day of *July* next, to meet at some convenient Place within the said City, and chuse Four fit and proper Persons resident in the said City, or within Ten Miles thereof,

Company  
constituted.

Their Style.

[*Local.*]

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thereof,

Wardens to be elected.

thereof, by Majority of Voices, to be the Wardens of the said Company in the said City, which said Wardens shall continue for the Space of One Year and no longer, unless re-elected by the Company in Manner aforesaid.

New Members to be chosen instead of those dying.

II. And be it further enacted, That the said Company shall be enabled, and is hereby authorized and directed annually on the First *Monday* in *July* in every Year, out of fit and proper Persons resident in the said City, or within Forty Miles to the West and South thereof, to chuse, by a Majority of Members present at any Meeting to be held for that Purpose, One or more Person or Persons into the said Company in the Place and Stead of such of the said Company who shall have died or removed to a greater Distance than Forty Miles as aforesaid from the said City; and also to chuse as Members of the said Company such additional fit and proper Person or Persons as such Majority may deem expedient or necessary, from among such Persons as may from Time to Time lawfully carry on the Trade of Goldsmiths or Silversmiths, or Plateworkers in *Glasgow*, or within the Distance thereof aforesaid; and that immediately thereafter such Company shall be so filled up or chosen in Manner aforesaid, they shall be enabled and are hereby authorized and directed to proceed to the Election of the Four Wardens for the Year ensuing in Manner aforesaid; and if any of the said Wardens so chosen as aforesaid shall happen to die or remove to a greater Distance than Ten Miles out of *Glasgow* as aforesaid, then the said Company shall within One Month after such Death or Removal, chuse another Person in Manner aforesaid to be Warden in his Room, and such Person shall be and is hereby authorized and required to act accordingly for the Remainder of that Year.

Gold Plate how to be marked.

III. And be it further enacted, That no Gold or Silversmith or Plate Worker in *Glasgow*, or within Forty Miles thereof as aforesaid, shall knowingly put to sale, exchange, or sell any Gold Vessel, Plate, or Manufacture of Gold made or wrought in the said City, or within the Distance aforesaid, after the First Day of *July* next, or export the same out of *Great Britain*, until such Time as such Vessel, Plate, or manufactured Gold (such Gold Plate being of the Standard of Twenty-two Carats of Fine Gold *per* Pound Troy, or of the Standard of Eighteen Carats of Fine Gold *per* Pound Troy; such last-mentioned Standard being marked with the Number Eighteen in addition to the Marks after mentioned) shall be marked as follows; that is to say, with the Mark of the Worker or Maker thereof, which shall be the First Letter of his Christian and Surname, and also with the Lion Rampant, and with the Mark of the said Company, to denote the Goodness thereof, and to show that the same was assayed; and also with a distinct variable Mark or Letter, which Letter or Mark shall be annually changed upon the Election of new Wardens for the said Company, to denote the Year in which such Plate is marked, upon Pain that all such Gold Plate or other manufactured Gold which shall be made, exposed to sale, exchanged, or exported, contrary to this Act, shall be forfeited, or the Value thereof, One Moiety thereof to the King's Majesty, His Heirs and Successors, and the other Moiety thereof to such Person or Persons as will sue for the same, to be recovered by Action in His Majesty's Court of Exchequer in *Scotland*; excepting always, such Things as by reason of their Smallness or Thinness are not capable of receiving a Touch; and excepting also such Articles as are specially excepted by an Act of the Twelfth Year of the Reign of His Majesty King *George* the Second,



Second, intituled *An Act for the better preventing Frauds and Abuses in Gold and Silver Wares*; and by another Act of the Twenty-fourth Year of the Reign of His present Majesty, intituled *An Act for granting to His Majesty certain Duties on all Gold and Silver Plate imported, and also certain Duties on all Gold and Silver wrought Plate made in Great Britain.* 12G.2.c.26.  
24G.3.c.53.

IV. And be it further enacted, That no Gold or Silversmith or Plate Worker in *Glasgow*, or within Forty Miles thereof as aforesaid, shall knowingly put to sale, exchange, or sell any Silver Vessel, Plate, or Manufacture of Silver made or wrought in the said City, or within the aforesaid Distance thereof, after the First Day of *July* next, or export the same out of *Great Britain*, until such Time as such Vessel, Plate, or manufactured Silver, (such Silver Plate being of the Standard of Eleven Ounces Two Penny Weights of Fine Silver *per* Pound Troy) shall be marked as follows; that is to say, with the Mark of the Worker or Maker thereof, which shall be the First Letter of his Christian and Surname, and also with the Lion Rampant and with the Mark of the said Company, to denote the Goodness thereof, and to shew that the same was assayed; and also with a distinct variable Mark or Letter, which Letter or Mark shall be annually changed upon the Election of new Wardens for the said Company, to denote the Year in which such Plate is marked, or Silver Plate of the Standard of Eleven Ounces Ten Pennyweights to be marked as aforesaid, and with the additional Mark hereinafter mentioned, upon Pain that all such Silver Vessels, Plate, or other manufactured Silver which shall be made, exposed to sale, exchanged, or exported contrary to this Act, shall be forfeited or the Value thereof, One Moiety thereof to the King's Majesty, His Heirs and Successors, and the other Moiety thereof to such Person or Persons as will sue for the same, to be recovered by Action in His Majesty's Court of Exchequer in *Scotland*; excepting such Things as by reason of their Smallness or Thinness are not capable of receiving a Touch; and also excepting the several Wares of Silver as are specially excepted by the said recited Acts of the Twelfth Year of the Reign of His Majesty King *George* the Second, and Twenty-fourth of His present Majesty, and also by another Act passed in the Thirtieth Year of the Reign of His present Majesty, intituled *An Act to alter so much of an Act made in the Twelfth Year of the Reign of His late Majesty King George the Second, intituled 'An Act for the better preventing Frauds and Abuses in Gold and Silver Wares';* and also so much of another Act made in the Twenty-fourth Year of the Reign of His present Majesty, intituled *An Act for granting to His Majesty certain Duties on all Gold and Silver Plate imported; and also certain Duties on all Gold and Silver wrought Plate made in Great Britain, as relates to the marking of Silver Wares.* Silver Plate how to be marked.  
30G.3.c.31.

V. And be it further enacted, That the peculiar Mark of the said Company directed to be used as aforesaid shall be the Arms of the City of *Glasgow*. The Mark of the Company.

VI. And be it further enacted, That the said Company shall from Time to Time elect and chuse in Manner aforesaid One or more able and skilful Person or Persons experienced in the assaying of Gold and Silver, to be the Assayer or Assayers, and that such Person or Persons so chosen shall continue in the said Office during his or their An Assayer or Assayers to be appointed.



their Life or Lives, unless he or they shall neglect to attend the said Business, or shall die, or be rendered incapable of executing the said Office of Assayer; for which said Assayer or Assayers, it shall and may be lawful to detain Eight Grains only from every Pound Troy of Silver he or they shall assay, Four Grains whereof shall be put into the Box or Diet, and the other Four Grains shall be allowed him towards his Waste and spillings in making the said Assays; and every Assayer or Assayers chosen in pursuance of this Act immediately after his or their Election or Elections, and before he or they take upon himself or themselves the Execution of the said Office, shall enter into a Bond or Obligation to the Master of His Majesty's Mint in *Scotland* for the Time being, with Two sufficient Sureties, to be approved of by the said Master, in the Penalty of Five Hundred Pounds for the Execution of the said Office, and for the due Payment of all such Fines and Sums of Money as are and shall be charged or imposed on him or them by this Act for Neglect or Fraud in the Execution of the said Office, and shall also take and subscribe the Oath following; *videlicet*,

The Assayer's  
Oath.

I *A. B.* do swear, That I will be faithful and true to our Sovereign Lord King *George*, and will, so long as I continue an Assayer, well and faithfully behave myself in the said Office, and no undue Profit to myself take, or to any other Person whatsoever, whether the same be or not for my own Benefit, to the Hurt or Hindrance of any Person that is Owner or Bringer of any Gold or Silver in Plate to be assayed, except of Wrought Plate only, Four Grains of Silver of every Pound Weight to be taken and put into the Diet Box, and other Four Grains of Silver to be taken likewise of every Pound Weight of Silver Plate wrought (and not otherwise) towards my Waste and spillings in making the said Assays; and that I will touch no Gold or Silver but what shall be of the Goodness of and according to the Standard of *Great Britain*, which for the Time being is or shall be appointed by Law for Wrought Plate, or better; and all such Gold and Silver respectively as shall be brought to me to be touched, I will carefully examine, to see if the Gold be of all one Sort of Gold, and the Silver of one Sort of Silver, and of good and sufficient Workmanship, and whether all the Pieces be fixed together that are intended to be affixed together, and whether it be not charged with unnecessary Solder, and if I find the same liable to any of the Objections aforesaid I will not assay the same; and that I will truly set down in Writing all such Gold and Silver as shall be brought to me to be touched, and the same at all Times as I shall be required will duly and truly deliver again (except Eight Grains as aforesaid), and will true Accounts make thereof when required by the Wardens of the Company wherein I am chosen Assayer; and that I will no Assays make of Things new wrought before that they be marked with the Mark of the Maker or Owner thereof; and that I will, according to the best of my Skill and Judgment, make every Assay so and in such Sort and Manner as may best ascertain the true intrinsic Standard of such Plate so to be assayed; and that I will not put or wittingly suffer to be put into the aforesaid Box any Gold or Silver but such respectively as has been scraped and taken in my Presence from the Plate which I shall assay and pass for Standard; and that I will not, by myself or in Partnership with any other Person, directly or indirectly, be concerned in the buying or selling of Gold or Silver Bullion, or in the manufacturing of Wrought Plate.

So help me GOD.

Which



Which Oath the Lord Provost of the City of *Glasgow* for the Time being, or in his Absence, the Senior Magistrate of the said City, is hereby required and empowered to administer to such Assayer.

VII. Provided always nevertheless, and be it enacted by the Authority aforesaid, That if any Person chosen Assayer in pursuance of this Act shall neglect to attend the said Business, or shall die, or be rendered incapable of executing the said Office, that then and in either of the said Cases, it shall and may be lawful to and for the said Company to elect and choose in manner aforesaid another fit and proper Person to be the Assayer in the Place and Stead of the Assayer so neglecting or dying or being incapable of executing the said Office.

On Death or Neglect of Assayer another may be appointed.

VIII. And be it further enacted, That the said Company shall find and provide, within the said City of *Glasgow*, a proper Place for an Office for receiving in, assaying, and delivering out all Wrought Plate that shall be brought to be assayed in pursuance of this Act; and that all Wrought Plate that shall be there brought for the Purpose aforesaid, shall be weighed and examined by the Assayer; and if on view thereof, and after weighing the same in Water, and trying the Effect of Magnetism, the Assayer shall have Suspicion of Iron or other base Metal being introduced, or wrought into or incorporated therewith, or concealed therein, he shall thereon forthwith warn the Four Wardens to attend, and they shall, along with the Assayer, see if such Plate brought to be assayed be all of one Sort of Gold or Silver; and of good and sufficient Workmanship, and whether all the Pieces be affixed together that are intended to be affixed together, and whether it be marked with the Maker or Owner's Mark, or be not charged with unnecessary Solder; and that if it shall be found that such Plate is liable to all or any of the Objections aforesaid, that then and in every such Case the same shall be returned without any Assay made thereof; but if such Plate shall be found free from all the Objections aforesaid, then there shall be drawn, scraped, or cut off so much from each Piece, in proportion to the Weight thereof, as will not exceed in the whole the Rate of Eight Grains for every Pound Weight; and the Drawings, Scrapings, or Cuttings off, shall immediately after be divided into Two Moieties; and a Moiety of the Drawings, Scrapings, or Cuttings off from each Piece, be delivered to the Assayer, wherewith to make his Assays; and the other Moiety shall be locked up with Two different Locks in a Box to be provided for that Purpose, (which shall be called the Assayer's Box), and the respective Keys thereof shall be kept by the Senior Warden and Assayer of the said Company.

An Assay Office to be provided at *Glasgow*.

IX. And be it further enacted, That if on view of any of the said Plate so brought to be assayed, and after weighing the same in Water, and trying the Effect of Magnetism, the Wardens and Assayer, or either of them, when called as aforesaid, shall have Suspicion of Iron or other base Metal being introduced, wrought into, or concealed in any Piece of Plate so brought to be assayed, then and in such Case it shall and may be lawful to and for the said Wardens and Assayer to cut the same, or cause the same in their Presence to be cut; and if upon cutting thereof, any unnecessary Iron or other base Metal shall be found therein, the said Piece of Plate shall be broken and defaced, and they are hereby authorized and directed to break and deface the same; and the said Plate, or the Value thereof, shall be forfeited to

Plate how to be assayed.



the said Wardens and Assayer, and the Produce thereof be by them applied towards the Expences of the Assay Office.

Recompence  
for Damage  
in certain  
Cases.

X. Provided always nevertheless, and be it enacted, That if on cutting such Plate as aforesaid, no unnecessary Iron or other base Metal shall be found therein, that then and in such Case the said Wardens and Assayer shall forthwith make a Recompence and Satisfaction in Money to the Owner of such Plate, to the full Amount of the Damage done to the same, and charge the same to the Account of the Expences of the Assay Office.

Assayer to  
report to  
Wardens.

XI. And be it further enacted, That the Moiety of the Drawings, Scrapings, or Cuttings off of each Piece so to be brought to the Assay Office as aforesaid, shall be put in separate Papers, and marked with corresponding Numbers, and the Assayer shall make his Report to the Wardens upon each Piece; and such of the said Numbers as the Assayer shall report to be worse than Standard, the Pieces of Plate corresponding with such Numbers shall be broke to Pieces in the Presence of the said Wardens to be called as aforesaid, and the Assayer, and returned to the Owner; and such Numbers as the said Assayers shall report to be Standard, or better, the Pieces of Plate corresponding with such Numbers shall be marked by the Assayer with the Company's Mark, and delivered to the Owner or Bringer of such Plate (he paying for making the Assay thereof such Sums of Money as are herein-after directed to be paid for the same); and the Scrapings belonging to such corresponding Numbers which shall be so reported Standard or better, shall be taken out of the Assayer's Box and be folded up, and the Name of the Maker of the Plate indorsed thereon, and deposited in a Box to be provided for that Purpose (which shall be called the Diet Box), and which Box shall be locked with Two different Locks, and the respective Keys thereof shall be kept by One of the said Wardens and Assayer; and which said Box shall never after be opened but in the Presence of the said Wardens and Assayer, or any of the Diet taken thereout but for the Purpose of Trial thereof annually, as hereafter is mentioned; and the Moiety of the Scrapings, Drawings, or Cuttings off which shall be delivered to the Assayer for the Purpose of assaying, or so much thereof as shall remain after such Process, shall be put together in the Assayer's Box, in a Part thereof to be appropriated for that Purpose, to be disposed of as by this Act is herein-after directed.

Drawings to  
be deposited  
in Diet Box.

XII. Provided always nevertheless, and be it enacted, That if any Plate so brought to be assayed shall be reported to be of the Standard of Eleven Ounces Ten Pennyweights or better, that then the Moiety of the Drawings, Scrapings, or Cuttings off from such Plate shall be put in the Diet Box, in a Part thereof to be appropriated for that Purpose, and not blended with the other Diet, to the Intent that the Diet of Plate of each of the aforesaid Standards may be separately tried on the annual Trial of the Diet herein-after directed; and such Plate of the Standard of Eleven Ounces Ten Pennyweights shall be marked with the additional Mark of the Figure of *Britannia*.

Gold and Sil-  
versmiths to  
enter their  
Names and  
Marks.

XIII. And be it further enacted, That on or before the First Day of *July* next, every Goldsmith, Silversmith, or Plate-worker inhabiting the City of *Glasgow* aforesaid, or within the Distance thereof aforesaid;



and also every Person who at any Time after the said First Day of July next shall follow the Trade of a Goldsmith, Silversmith, or Plate-worker, before he takes upon him to exercise any of the said Trades, within the Limits aforesaid, shall enter his Name, and his Mark, and Place of Abode with the Wardens of the said Company, which shall be done by the said Wardens upon Demand, without Fee or Reward; and if any such Goldsmith, Silversmith, or Plate-worker shall not enter his Name and Mark, and Place of Abode as aforesaid, or shall strike any other Mark on Plate than what is so entered, such Goldsmith, Silversmith, or Plate-worker so offending, shall forfeit the Sum of Fifty Pounds to be recovered and disposed of as aforesaid.

XIV. And be it further enacted, That if any Person whatsoever shall cast, forge, or counterfeit, or cause or procure to be cast, forged, or counterfeited, any Mark or Stamp used or to be used for marking Plate in pursuance of this Act, or by any Maker or Worker of Gold or Silver Plate, or any or either of them, or shall cast, forge, or counterfeit, or cause or procure to be cast, forged, or counterfeited, any Mark, Stamp, or Impression in Imitation of or to resemble any Mark, Stamp, or Impression made or to be made with any Mark or Stamp used or to be used as aforesaid by the said Company, or by any Maker or Worker of Gold or Silver Plate, or any or either of them, or shall mark or stamp, or cause or procure to be marked or stamped, any Gold or Silver Wrought Plate with any Mark or Stamp which hath been or shall be forged or counterfeited in Imitation of, or to resemble any Mark or Stamp used or to be used as aforesaid by the said Company, or by any Maker or Worker of Gold or Silver Plate, or any or either of them; or shall transpose or remove, or cause or procure to be transposed or removed, from one Piece of Wrought Plate to another, or to any Plated Vessel, or to any Vessel of base Metal, any Mark, Stamp, or Impression made or to be made by or with any Mark or Stamp used or to be used as aforesaid by the said Company, or by any Maker or Worker of Gold or Silver Plate, or any or either of them; or shall sell, exchange, or expose to sale, or export out of Scotland, any Gold or Silver Wrought Plate, or any Vessel of base Metal, with any such forged or counterfeit Mark, Stamp, or Impression thereon, or any Mark, Stamp, or Impression which hath been or shall be transposed or removed from any other Piece of Plate, knowing such Mark, Stamp, or Impression to be forged, counterfeited, or transposed or removed as aforesaid; or shall wilfully or knowingly have or be possessed of any Mark or Stamp which hath been or shall be forged or counterfeited in Imitation of or to resemble any Mark or Stamp used or to be used as aforesaid by the said Company, or by any Maker or Worker of Gold or Silver Plate, or any or either of them, every such Person offending in any, each, or either of the Cases aforesaid, being thereof lawfully convicted, shall, by Order of the Court before whom such Offender shall be convicted, be transported for the Term of Fourteen Years.

Penalty on forging the Marks.

XV. And be it further enacted, That if any Working Goldsmith or Silver-smith, or Dealer in Wrought Plate, or any Worker or Dealer in any other Metal, plated or covered with Gold or Silver, shall strike or cause to be struck any Letter or Letters upon any Vessel, or other Thing made of Metal, plated or covered with Gold or Silver, or upon Metal Vessel or other Thing made to look like Gold or Silver, such Person or Persons so offending

Penalty on stamping Plated Goods and base Metal.



offending shall forfeit the Sum of One hundred Pounds, to be recovered and disposed of as aforesaid.

Plate to be marked with the Mark of the Company.

XVI. And be it further enacted, That all and every Goldsmith, Silver-smith, and Plate Worker shall first fix his or their Mark upon his or their Plate which shall be made from and after the First Day of *July* next (except such Things which, by reason of their Smallness or Thinness, are not capable of receiving the Touch, and also excepting the several Wares excepted by the said recited Acts), and shall then bring or send the same to the Office of the said Company, where they shall have entered their Mark and Place of Abode, and the same shall be there assayed according to this Act; and if by the Assayer it shall be found to be of the Fineness of Standard which for the Time being is or shall be appointed by Law for Wrought Plate, or better, then the same shall be marked with the Mark of the said Company, and of the Assayer; and that it shall and may be lawful to and for the said Assayer, or such other Person as the Wardens for the Time being of the said Company shall appoint, to ask, demand, take, and receive of and from all and every such Person and Persons as shall from Time to Time bring to the Assay Office belonging to the said Company any Piece or Parcel of Wrought Plate to be assayed, tried, and marked, such Prices, Sums of Money, or Rewards as they shall think fit, so as such Prices, Sums of Money, or Rewards do not exceed the Sum of One Shilling and Sixpence for every Pound Troy of Plate, and so proportionably for every greater or less Quantity so assayed and marked: Provided nevertheless, that if any Parcel or single Piece of Wrought Plate shall be brought or sent to the said Office to be assayed, which, according to the Rate or Price herein-before limited, shall not amount to the Sum of One Shilling and Sixpence, then there shall be paid for assaying and marking such Parcel or single Piece of Wrought Plate, a Sum of Money or Reward not exceeding One Shilling and Sixpence, any thing herein contained to the contrary in anywise notwithstanding.

Assayer not to disclose Patterns.

XVII. And be it further enacted, That the Assayers so to be chosen by virtue of this Act as aforesaid, shall not discover by Description, in Words or otherwise, to any Person or Persons whatsoever, any Pattern, Design, or Invention of any Piece of Gold or Silver Plate brought or to be brought to the Office to be assayed as aforesaid, or permit the same to be viewed or seen by any Person whatsoever but the Wardens and other Persons necessarily employed or to be employed in the said Office; and also shall keep a Book or Books wherein shall be entered the Names of every Owner of Plate brought to be assayed, and the Assortment of Plate assayed, and an Account of the Money received for the assaying thereof, and likewise an Account of the Monies arising from the Scrapings and Cuttings off of the said Plate so brought to be assayed, when the same shall be sold in Manner herein-after directed, and also an Account of the Officers and Servants, Salaries and Wages, and other incidental Expences attending the carrying this Act into Execution; and that every Member of the said Company shall have free Access to the said Books and Inspection thereof; and any Assayer who shall so discover any Pattern or Invention as aforesaid, shall, for every such Offence, forfeit and pay a Sum not exceeding Ten Pounds Sterling, to be recovered and applied in Manner herein-after prescribed.

XVIII. And



XVIII. And be it further enacted, That the Marks of the said Company shall be locked up in a Box, whereof the Key shall be kept by the Affayer of the said Company, to be used by him for the Purpose of marking the Plate which shall have been assayed and reported Standard; and if the Affayer shall mark or suffer to be marked with the Company's Mark any Plate that has not been duly assayed and found Standard, he shall forfeit and pay the Sum of Ten Pounds Sterling, to be recovered and disposed of in Manner herein-after mentioned, and shall be turned out of his Office, and be rendered ever after incapable of exercising the Office of an Assayer.

Marks to be locked up.

XIX. And be it further enacted, That the Assayer of the said Company shall Four Times in every Year duly weigh, in the Presence of the Wardens of the said Company, all the Scrapings and Cuttings-off of the Silver deposited in the Assayer's Box, after Report thereof made as aforesaid, and enter the true Weight thereof in a Book to be kept for that Purpose; and that when the same is so weighed and entered, it shall and may be lawful to and for the said Wardens to sell and dispose thereof, and after entering an Account of the Produce thereof in the Book belonging to such Company, containing their Receipts and Payments for and on the account of the Assay Office, pay and apply the same for and towards such Payments.

Scrapings to be weighed and entered in a Book.

XX. And be it further enacted, That the Diet Box belonging to the said Company shall Once in every Year be opened in the Presence of the Assayer and the Four Wardens, and the Diet therein be taken out and carefully packed up, and secured and sealed with the respective Seals of the said Wardens and Assayer, and by them in each other's Presence delivered to a Messenger, to be by him conveyed to His Majesty's Mint at *Edinburgh*, and delivered to the Master of the Mint for *Scotland* or his Deputy, or other Person or Persons from Time to Time lawfully appointed and authorized to receive the same, taking a Receipt from such Person who shall receive it for the same, which Receipt the said Master of the Mint for *Scotland*, or his Deputy, are hereby directed to give; and that the Messenger conveying the same shall, at the Time of the delivering thereof, make Oath before the said Master or his Deputy (which Oath the said Master or his Deputy are hereby authorized and directed to administer), that he received the Box or Parcel (as the Case may be) from the Wardens and Assayer of the Company, so sealed as on the Delivery thereof, and that the same had not been opened after he had so received the same.

Diet Box to be sent to the Mint at *Edinburgh*.

XXI. And be it further enacted, That the Master of His Majesty's Mint for *Scotland* for the Time being, or his Deputy, shall, within Fourteen Days next after the said Diet shall have been so delivered, fix and appoint a Time for the Trial of the said Diet by the King's Assay Master of His Majesty's Mint for *Scotland*, before such Person or Persons as shall from Time to Time be appointed by the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or the Lords Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, for the Time being, for the Trial of Gold and Silver Plate at *Edinburgh*; and that the said Master of the Mint or his Deputy shall, by Letter to be sent by the General Post, give such Assayer whose Diet is to be tried, Notice of the Time and Place appointed for

Diet to be tried by the Master of the Mint at *Edinburgh*.

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such Trial, that he may be present if he thinks fit; and on that Day whereon the Person or Persons to be appointed from Time to Time as aforesaid shall so appoint, the Trial shall be proceeded in, in the Manner and under the same Regulations, in and under which Trials of Wrought Plate are proceeded in and made in *Edinburgh*; and if upon such Trial the same shall be found of the Standard Fineness or better, then and in such Case His Majesty's said Assay Master for *Scotland*, or his Deputy, shall return the said Diet to or to the Order of the Wardens and Assay Master of the Company aforesaid, who are hereby authorized to sell and dispose thereof, and having entered the Produce thereof in the Book of Accounts of the Receipts and Payments of the said Company, pay and apply such Produce for and towards the necessary Expence of the said Company.

Penalty on Assayer if Diet not Standard.

XXII. Provided always nevertheless, and be it enacted, That if on the said Trial the said Diet shall be found not of Standard Fineness, according to the respective Standards thereof, but worse, then and in such Case the Assayer belonging to the said Company, whose Diet shall be so tried, shall forfeit and pay the Sum of One hundred Pounds, to be recovered and disposed of as aforesaid, and shall ever after be rendered incapable of acting as an Assayer.

No Profit to be made by the Company.

XXIII. Provided also, and it is hereby enacted and declared, That in case the said Prices, Sums of Money, or Rewards hereby given, granted, or allowed to the said Company for the assaying and marking Wrought Plate, shall raise more Money than shall be sufficient to defray the Expence of obtaining and passing this Act, and the necessary Expences of the said Assay Offices, then the Overplus Money (if any) shall be applied by the said Company from Time to Time in the prosecuting Offenders against this Act; and if such Prosecutions shall not require the Whole of such Overplus, then and in such Case the said Prices, Sums of Money, or Rewards shall afterwards be lessened in proportion by the said Company; and they are hereby required to take so much less for the assaying, trying, and-marking Wrought Plate for the future, as will reduce the Sum to be taken to such a Sum as will answer the Purposes aforesaid only, without bringing any Profit to the said Company; any Thing herein contained to the contrary thereof in anywise notwithstanding.

Trial Pieces to be transmitted to the Master of the Mint.

XXIV. And be it further enacted, That the Wardens and Assayer of the said Company shall from Time to Time, when required by the Master of His Majesty's Mint for *Scotland*, or his Depute, transmit to the said Master or his Depute, at the Office of His Majesty's Mint at *Edinburgh*, Specimens of the Trial Pieces used by the said Company, or their Wardens and Assayers, in trying and touching the Wrought Plate brought to the said Company to be by them assayed, so that the Purity of the Trial Pieces used by the said Company may be at all Times known, and subject to the Examination of the said Master and his Deputy.

Fees of the Master or his Deputy on the yearly Trials.

XXV. And be it further enacted, That the said Company shall, before the Assay of their Diet, yearly and every Year pay to the Master of His Majesty's Mint for *Scotland*, or his Deputy, for the Use of his Deputy, such and the like Fees, Dues, or Recompences as are for the Time paid by the Workers of Gold and Silver Plate in *Edinburgh*.

XXVI. And



XXVI. And be it further enacted, That it shall and may be lawful to and for the said Company, or the major Part of them, and they are hereby authorized and empowered, from Time to Time, to make Bye Laws, Rules, and Orders for the well Government and Management of their Offices, and for fixing the Salaries and Rewards of the respective Officers, and for fixing the Time and Manner for receiving in and delivering out Plate brought to be assayed, and for every other Purpose relative to the Conduct or Management of such Office, and to enforce Observance thereof by the Imposition and Exaction of Penalties not exceeding Five Pounds for each Offence, from any Person or Persons acting in Opposition to such Bye Laws, Rules, and Orders: Provided always, that such Bye Laws, Rules, and Orders do not in any respect contradict or be inconsistent with this Act, or the Laws of that Part of the United Kingdom called *Scotland*, and affect only the Members, Officers, Servants, and others belonging to the said Company.

Bye-laws may be made.

XXVII. And be it further enacted, That each of the Wardens of the said Company shall, after his Election, and before he takes upon him the Execution of the said Office, take and subscribe the following Oath:

‘ I *A. B.* do swear, That I will, so long as I continue a Warden, well and faithfully behave myself in the said Office; and that I will not discover, by Description in Words or otherwise, to any Person or Persons whatsoever, any Pattern, Design, or Invention of any Piece of Gold or Silver Plate, brought or to be brought to the said Office to be assayed, or wittingly or willingly permit the same to be viewed or seen by any Person whomsoever, but the Persons necessarily employed or to be employed in the Assay Office; and that I will in all Things conform to the Rules laid down in an Act of Parliament passed in the Fifty-ninth Year of the Reign of King *George* the Third, intituled [*here insert the Title of this Act.*]

Oath of the Wardens.

So help me GOD.’

Which Oath the Lord Provost of the City of *Glasgow*, or in his Absence, the Senior Magistrate for the Time, is hereby required and empowered to administer to such Wardens.

XXVIII. And be it further enacted, That if any Person or Persons shall at any Time hereafter recover Judgment in any Court against any Assay Master of the Company aforesaid, for any Penalty imposed on him by this Act for Neglect or Fraud in the Execution of his Office, and such Penalty, together with the Costs adjudged, shall not be paid within the Time prescribed by that Court, wherein such Judgment shall be obtained, that then and in such Case it shall and may be lawful to and for the Master of His Majesty’s Mint in *Scotland* for the Time being, and he is hereby authorized and directed, to assign over to such Person or Persons so recovering such Judgment the said Bond or Obligation so directed to be entered into by the said Assayer and his Sureties to the Master of His Majesty’s Mint as aforesaid, in order to enable such Person or Persons to bring one or more Action or Actions thereon against such Assayer and his Sureties or either of them, or the Heirs, Executors, or Administrators of them or either of them, for the Recovery of such Penalty so recovered against the Assayer, together with the Costs adjudged; and the Assignee to the said Bond as aforesaid shall be entitled to proceed thereon, and on the Assignment thereof, by summary Diligence against the said Assayer and other Obligants therein.

Master of the Mint in Scotland may assign over Assayer’s Bond to Persons recovering Judgment against Assayer.

XXIX. Provided



Costs of Suit.

XXIX. Provided always nevertheless, and be it further enacted, That if in any Action to be brought on the said Bond as last aforesaid the Plaintiff be nonsuited, that then the Costs of Nonsuit shall be paid by the Plaintiff or Assignee of said Bond, and that the Master of His Majesty's Mint be wholly exonerated from all Expences to be incurred in any Diligence raised upon the said Bond to be assigned by him as aforesaid, any Law, Usage, or Statute to the contrary in anywise notwithstanding.

Recovery and Application of Penalties under 10l.

XXX. And be it further enacted, That in all Cases where any Fines or Penalties not exceeding Ten Pounds are imposed by this Act, the Prosecution for the Offence for the Commission whereof such Fines or Penalties are sought to be recovered shall be by summary Complaint before any One or more Justice or Justices of the Peace of the County in which such Offence shall occur; and such Justice or Justices shall and may grant summary Warrant for summoning Evidence, and thereupon proceed against the Party or Parties in a summary Way; and upon Conviction by the Confession of the Offender, or on the Oath of One or more credible Witness or Witnesses, or other Evidence competent by the Law of *Scotland*, if the Penalty be not instantly paid, the Goods and Effects of the Offender or Offenders may be distrained and sold by the Warrant of such Justice or Justices; and in case there shall not be found sufficient Effects, the Offender or Offenders may be committed to any Gaol within the Jurisdiction of such Justice or Justices until the Expiration of Two Calendar Months from the Period of Commitment: Provided always, that in case of distraining as aforesaid, the Overplus, after Payment of the Penalty, and all Charges and Expences, shall be returned to the Owner; and the Penalties to be so recovered shall be applied in the same Way as Plate forfeited for not being properly marked is by this Act directed to be applied; and if any Person or Persons shall think himself or themselves aggrieved by the Judgment of any such Justice or Justices, he or they shall or may, upon giving Security to make good such Sentence and to pay such Costs as may be ordered in case such Judgment shall be affirmed, appeal to the Justices of the Peace at the next General Quarter Sessions for the County in which such Judgment shall be given; and in case the Judgment shall be affirmed it shall be lawful for such Justices to order the Appellant to pay the Costs of such Appeal, and the Determination of such Justices shall be final, and not liable to Suspension, Advocation or Reduction.

Appeal.

Actions to be tried in Court of Exchequer in Scotland.

XXXI. And be it further enacted, That every Action or Suit to be brought or prosecuted under this Act, other than Actions for or on account of Penalties not exceeding Ten Pounds, shall be brought in His Majesty's Court of Exchequer in *Scotland*.

Public Act.

XXXII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

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