Anno ſexto

Georgii III. Regis.

CAP. XXIX.

An Act to prevent the fraudulent marking of Frame-work Knitted Pieces, and Stockings.



WHEREAS Perſons employed in the Frame-work Knitted Manufactures, do often mark their Goods to denote the ſame to be made with a greater Number of Threads than ſuch Manufactures are really made of, to the great Impoſition of the Buyers, and Diſcredit of the ſaid Manufactures at Foreign Markets: Therefore, to prevent the like Impoſitions and Deceits for the future, 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 from and after the Twenty fourth Day of June, One thouſand ſeven hundred and ſixty ſix, all Frame-work Knitted Pieces, and Stockings made of Thread, Cotton, Worſted, or Yarn, or of any Mixture of all or any of the ſaid Materials, or

Preamble.

From and after 24 *June*, 1766, all Frame-work Knitted Pieces and Stockings (thoſe made of Silk excepted)

c

containing Three or more Threads, are to be marked with the same Number of Ilet-holes, and no more, in Manner here directed.

or of any Materials of any other Kind or Nature whatsoever (except such as shall be made of Silk only) which shall contain Three or more Threads, shall be marked with the same Number of Ilet-holes, and no more, as there are Threads contained in each Piece or Pair of such Goods and Manufactures; and such Ilet-holes shall be made in a plain and distinct Manner in One direct Line, or in the same Course, and shall not exceed the Distance of Three Inches from the Two extream Ilet-holes; and no such Ilet-holes shall be made or placed within the Distance of Four Inches of any Letter, Figure, Mark, or other Device, which shall be put or woven in any such Goods or Manufactures; and all such Ilet-holes shall be made within Four Inches of the Top or End of every such Piece or Pair of such Goods and Manufactures; and that no Ilet-hole, or Imitation thereof, shall be made or put in any Frame-work Knitted Piece or Pair of Stockings upon any Account or Pretence whatsoever, except as herein before directed by this Act.

Provision with respect to the Welts and Tops of Stockings.

Provided always, That nothing herein contained shall extend, or be construed to extend, to prevent any Manufacturers from using Remnants, or Materials of any Sort, in the Welts and Tops of Stockings only, at any Distance not exceeding Three Inches from the Top, although the same shall not contain so great a Number of Threads as are contained in the Legs of such Stockings.

Masters, &c. not duly and truly marking their Goods, in Manner above directed,

And be it further enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June, One thousand seven hundred and sixty six, if any Master Frame-work Knitter or Master Hosier, or any other Person, shall make or work, or shall cause or procure to be made or wrought, any Frame-work Knitted Goods or Manufactures of any of the Materials aforesaid, or any Mixture thereof (except such as shall be made of Silk only) without being duly and truly marked in the Manner before directed; every such Master Frame-work Knitter, or Master Hosier, or other Person so offending, and being thereof convicted in Manner herein after mentioned, shall respectively forfeit and pay the Sum of Five Pounds for every Piece of such Frame-work Knitted Goods, or Pair of Stockings, so made, or caused or procured to be made, which shall not be duly and truly marked according to the Directions of this Act; and shall also forfeit and lose all such Frame-work Knitted Pieces and Stockings.

forfeit 5 l. and the Goods.

Provided always, That the Penalty of Five Pounds herein before mentioned, shall not be construed to extend to any Journeyman, Apprentice, Servant, or Person, not making such Goods or Manufactures on his own Account.

Journeymen, &c. not making such Goods on their own Account, excepted;

And be it further enacted by the Authority aforesaid, That if any Journeyman, Apprentice, Servant, or other Person, employed in making any Frame-work Knitted Manufactures, shall not, at the Time that he shall make any Frame-work Knitted Piece or Pair of Stockings, duly and truly mark every such Piece and Pair according to the Directions of this Act, and the true Intent and Meaning thereof; every such Journeyman, Apprentice, Servant, or other Person, so offending, and being thereof convicted in Manner herein after mentioned, shall respectively forfeit and pay any Sum not exceeding the Sum of Forty Shillings, nor less than Five Shillings, for each and every Piece of Frame-work Knitted Goods, or Pair of Stockings, which every such Journeyman, Apprentice, Servant, or other Person, shall respectively make, and shall not mark in Manner before directed.

who are liable to forfeit not exceeding 40*s.* nor less than 5*s.*

Provided always, That if any Journeyman, Apprentice, or Servant, or other Person, employed in making any Frame-work Knitted Manufactures, shall make it appear, to the Satisfaction of the Justice before whom he shall be brought, that such Frame-work Knitted Pieces, or Stockings, so by him unduly marked, was so marked by Direction of his Master, or the Person by whom he was employed; that then, and in every such Case, such Journeyman, Apprentice, or Servant, or other Person, shall be exempted from any Penalty or Forfeiture for such Offence.

unless they make it appear that they acted according to the Direction of their Masters in which Case they are exempted.

And be it further enacted by the Authority aforesaid, That from and after the Twenty fifth Day of March, One thousand seven hundred and sixty eight, if any Frame-work Knitter, Hosier, or other Person, shall sell, or expose to Sale, any Frame-work Knitted Piece, or Pair of Stockings, made of all or any of the aforesaid Materials, or of any Mixture thereof (except such as shall be made of Silk only) which shall not be duly and truly marked in Manner herein before directed; every such Hosier, and other Person, so offending, and being thereof convicted in Manner herein after mentioned, shall forfeit and pay the Sum of Five Pounds for every Frame-work Knitted Piece, and for every Pair of Stockings, so sold, or exposed to Sale, which shall not be duly and truly marked according to the Directions of this Act; and shall also forfeit and lose all such Frame-work Knitted

From and after 25 *March*, 1768, Persons who shall sell or expose to Sale any such Goods not being duly and truly marked forfeit 5*l. per* Piece, &c.

and the Goods;

Knitted Pieces, and Stockings, so by him sold, or exposed to Sale.

except they discover the Vender, so as he shall be convicted, and becom liable to the Penalty;

Provided always, and be it further enacted by the Authority aforesaid, That if, at any Time after the Twenty fifth Day of March, One thousand seven hundred and sixty eight, any Person shall be prosecuted by virtue of this Act, for selling, or exposing to Sale, any Frame-work Knitted Goods or Manufactures, which shall not be duly and truly marked according to the Directions of this Act, and shall discover the Vender or Seller thereof, so as such Vender or Seller shall be convicted, and become liable to the Penalties and Forfeitures laid and inflicted by this Act; then, and not otherwise, the Person so prosecuted for selling or exposing such Frame-work Knitted Goods or Manufactures to Sale, shall be, and is hereby discharged from any Penalty or Forfeiture laid or inflicted by this Act; any thing in this Act to the contrary notwithstanding.

in which Case they are exempted.

Method of Conviction,

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any One or more Justice or Justices of the Peace for the County, Riding, Division, City, Town, or Place, where any Offence shall be committed against this Act, such Justice not being a Frame-work Knitter, Hosier, or a Proprietor of Frames made use of in the Weaving of Frame-work Knitted Goods or Manufactures, to convict the Party or Parties offending, upon the Oath of One or more credible Witness or Witnesses (which Oath such Justice or Justices are hereby impowered and required to administer) and, upon such Conviction, in case such Penalties or Forfeitures shall not be forthwith paid, to issue a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to levy and recover the said respective Penalties and Forfeitures by Distress and Sale of the Offenders Goods and Chattles, rendering the Overplus (if any there shall be) after deducting the Charges of such Distress and Sale, to the Owner or Owners thereof; and in case no Goods or Chattles of the Party or Parties so offending can be found, or there shall not be Goods or Chattles sufficient to pay such Penalties and Forfeitures, any One or more of such Justices of the Peace shall, upon Proof thereof made upon Oath (which Oath he and they is and are hereby impowered and required to administer) before him or them, by the Person or Persons who shall have the Execution of such Warrant or Warrants, commit the Party or Parties offending to the Common Goal of the County, Riding, Division, City, Town,

and Recovery of the Penalty.

For want of Distress, the Offenders to be committed.

Town, or Place, where the Offence shall be committed, there to remain without Bail or Mainprize for any Time not exceeding Three Months, unless such Penalties and Forfeitures shall be sooner paid and satisfied; and all Penalties and Forfeitures aforesaid shall go and be applied, One Moiety to the Use of the Informer or Informers, and the other Moiety to the Use of the Poor of the Parish, Town, or Place, where such Offence shall have been committed. Application of the Penalties.

Provided always, and be it further enacted by the Authority aforesaid, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act, such Person may appeal to the Justices of the Peace, at any General Quarter Sessions of the Peace to be held for the County or Place wherein the Cause of Complaint shall arise; such Appellant giving Ten Days Notice in Writing of his or her Intention of bringing such Appeal, to such Justice or Justices before whom he or she shall have been convicted; and, within Two Days after such Notice, entering into a Recognizance before some Justice of the Peace for such County or Place, with Two sufficient Sureties, conditioned to try such Appeal at such Quarter Sessions; and the said Justices, at the said Sessions, upon due Proof of such Notice given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing, or appealed against, as they the said Justices shall think proper; and the Determination of such Quarter Sessions shall be final, binding, and conclusive, to all Intents and Purposes. Persons aggrieved may appeal to the Quarter Sessions; whose Determination shall be final.

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, 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. General Issue. Treble Costs.

Provided

Reservation of Rights to the Frame-work Knitters Company.

Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed, deemed, or taken to extend, to abridge or take away any Rights or Privileges which the Master, Wardens, and Assistants, of the Company of Frame-work Knitters for the time being now have, or are intitled unto.

FINIS.