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Hallmarking Imported Watches

*Nineteenth Century Confusion
and Contradictory Laws*



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Introduction

Gold and silver watch cases should always have been hallmarked at a British assay office before being retailed, but before 1907 most imported watches did not have properly hallmarked cases due to a mixture of archaic practices and poorly framed laws.

Hallmarking

Pure gold and silver are relatively soft; to make items that can be used every day without wearing too quickly they are alloyed with base metal. Laws were introduced to prevent the addition of too much base metal, which cannot easily be detected. To enforce these laws, companies of goldsmiths were charged by royal charter with assaying (testing) and stamping lawful items with specified marks. In 1478 London craftsmen were first required to bring their work to Goldsmiths' Hall to be assayed and marked, hence the term 'hallmarking'.

The Plate (Offences) Act 1739 consolidated laws about hallmarking.¹ Assay offices and acts of Parliament use 'plate' to mean anything made of gold or silver; the term derives from the Spanish 'plata' for silver, not from tableware. Although amended several times, this Act remained the basis for hallmarking until 1975. The principal effect of the Act, in accordance with the principles of laws stretching back centuries, was that it was illegal to retail gold or silver items unless they were hallmarked.

Items sent for hallmarking had first to be stamped with a mark showing who would be responsible if they were found to be substandard. In 1675 the increasing separation of retailers from makers was recognised in an order issued by the Goldsmiths' Company, which brought retailers within regulations applicable to makers. Subsequently, Section 21 of the 1739 Act required anyone involved with either making or commissioning items of plate to deface their old punches and enter new marks at an assay office. From this time, plate carrying the mark of someone who had no part in its manufacture could be hallmarked, rendering it misleading to call the responsibility mark a 'maker's mark'.² It is now called the sponsor's mark.

As the numbers of watches imported into Britain in the nineteenth century increased, the hallmarking of foreign gold and silver watch cases became of greater significance to the trade and the public. English watchmakers regarded hallmarks as national trademarks and wanted their use restricted; the public interest was in the protection hallmarks afforded against being sold substandard materials.

All imported gold and silver watch cases should have been assayed and hallmarked in a British assay office before being put on sale, there were no exceptions for place of origin. However, large numbers of watches were imported with unhallmarked cases of below legal fineness. This was known by the assay offices, but no action was taken to enforce the law.³

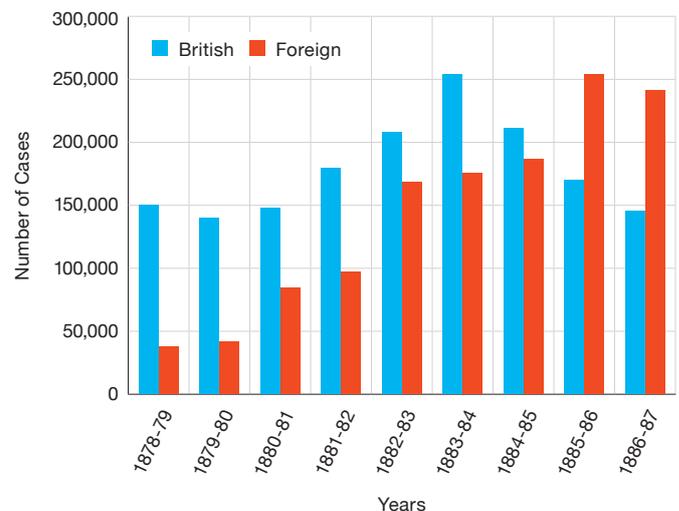


Figure 1. Numbers of watch cases hallmarked in Britain between 1878 and 1887.

Free Trade

In 1842 members of the Manufacturing Silversmiths' Society expressed concerns that an anticipated reduction in import duties on gold and silver items as a result of the free trade movement would result in a flood of foreign plate of below legal standards of fineness entering the country, because (they wrongly said) there was 'no provision in law for hallmarking imported items'.⁴ Although they were wrong about the law, they were right about imported plate not being hallmarked.

The reason for this had its roots in medieval times, when goldsmiths' guilds restricted the privilege of hallmarking to their members, giving them a monopoly over the manufacture and sale of gold and silver items. Although by the nineteenth century the power of the guilds was greatly diminished, they clung to their traditions. The fact that anyone importing or retailing plate could, and indeed should, enter a sponsor's mark at an assay office and send the items to be hallmarked was not advertised; it was consequently virtually unknown. The goldsmiths' companies' charters empowered them to take action against retailers selling gold and silver items that were not hallmarked, including watches with gold or silver cases. They were generally assiduous in doing this, but not for imported items.

To mitigate the concerns of the Silversmiths' Society, a clause was inserted into the Customs Act of 1842 making

it explicit that it was illegal to sell imported gold or silver items unless they had been hallmarked at a British office.⁵ This meant that the plate must be of legal standards of fineness, which would prevent foreign manufacturers undercutting prices by using lower quality alloys. The Act contained no provisions for ensuring that this requirement was enforced, which meant that very few, if any, importers complied; most were unaware that it even existed.

Gold		Silver	
18 carat 750%	14 carat 583%	875%	800%
Helvetia	Écureuil	Ours	Coq de bruyère
			
			

Figure 2. Swiss hallmarks for watch cases introduced in 1880.

Swiss Cases Hallmarked

Small numbers of hallmarked English cases had been used to house Swiss-made movements for many years, but around 1870 a Swiss manufacturer discovered that he could send Swiss-made watch cases to be hallmarked, and that the assay offices had no power to refuse them.⁶ In 1874 Walter Prideaux, Clerk to the Goldsmiths' Company, noticed that foreign watch cases were being hallmarked and that the assay officers could easily recognise them, so he asked them to record the numbers.⁷ At the time they were about 1,500 out of a total of 150,000 watch cases hallmarked in the year, but this subsequently grew rapidly. **Figure 1** shows how the number increased between 1878 and 1887.⁸

Sending watch cases to England and back incurred more cost than just the transport and lost time. The cases had to meet one of the British standards of 18, 15, 12 or 9 carat gold, of which only 18 carat was usual in Switzerland, or sterling silver, which was finer than the silver used for Swiss cases. The metal had to be thicker to take the hallmark punches, and Swiss cases usually had domes or inner backs (cuvettes) of base metal, which precluded them from being hallmarked, so more expensive cuvettes had to be fitted.

Imported Swiss watches were previously mostly at the lower end of the quality scale, with thin and light cases housing mass-produced cylinder escapement movements. But watches with hallmarked cases and good quality jewelled lever escapement movements were not only compliant with British law; they encroached on the higher end of the market, which English watchmakers regarded as their territory. The movements are usually easy to recognise as Swiss — for example, due to exposed winding wheels — but in 1886 David Glasgow, a prominent member of the BHI, remarked that some movements were so much like English manufacture that even an expert had to take one apart to decide where it had been made.⁹ Watches with anonymous half or three quarter plate movements, typically English looking, from this period therefore need caution, although the sponsor's mark in the case frequently makes their origin clear.

The Foreign Mark 'F'

The Customs Amendment Act 1867 introduced a requirement that an additional hallmark, a letter 'F' in cameo within an oval surround, be stamped on foreign-made items so that they could be distinguished from items made in Britain.¹⁰ Few items from the 1870s are seen carrying the 'F' mark because again there was no effective enforcement. In 1876 the Goldsmiths' Company issued a notice warning dealers that imported gold and silver items could not legally be sold unless they were hallmarked. This had a small effect, with some importers

saying that they had been unaware of the requirement, but many remained ignorant or simply ignored the notice.

The Revenue Act 1883 eliminated the loophole by requiring that all imported plate be held under bond until it had been hallmarked.¹¹ This was enforced by the customs, and the appearance from 1883 onwards of hallmarked items that have the 'F' mark shows that it had an immediate effect.¹² However, watch cases sent from Switzerland to be hallmarked were not put under bond and did not receive the 'F' mark.

Swiss Hallmarking

Swiss hallmarks for gold and silver watch cases were introduced on 23 December 1880.¹³ **Figure 2** shows the standards of fineness and hallmarks impressed by Swiss Bureaux de Contrôle which, unlike British assay offices, were operated by the government. The symbol ‰ means 'per mille' and indicates parts per thousand. The small 'x' in each mark indicates where a letter or symbol was placed to denote the office at which the mark was stamped, e.g. 'B' for Bienne.

Most gold or silver cases of Swiss watches exported to Britain after 1880 carried these hallmarks. Fourteen carat gold and 800 ‰ or 875 ‰ silver cases were not of British legal fineness, but this was ignored by the customs, goldsmiths' companies and retailers.

Swiss watch cases continued being sent to be hallmarked in Britain in increasing numbers after the introduction of these hallmarks. Cases with both Swiss and British hallmarks are not seen; there must have been an understanding that cases with British hallmarks did not also require Swiss hallmarks.

Select Committee on Hallmarking

English watchmakers objected to Swiss watch cases receiving British hallmarks, claiming that they led people to think that a Swiss watch was English and pay a higher price for it than they otherwise would.¹⁴ Denying the right of hallmarking to foreigners was therefore presented as being in the public interest rather than restraint of free trade. Watchmakers from Coventry and Liverpool persuaded Sir Henry Jackson and Henry Eaton, Members of Parliament for Coventry, and two other MPs to draft a bill that would make it illegal to hallmark a foreign-made watch case, or to put a foreign-made movement, or a movement containing any foreign-made parts, into a hallmarked case.

This was going too far for some watchmakers. Many English watches contained some Swiss components such as balance springs or jewel hole screws. Complicated watches, an important and lucrative element of the high-end London

trade, were sent to Switzerland to be fitted with their complications: repeating work, chronograph mechanisms, perpetual calendars, etc. Although some thought that banning the use of these Swiss parts would be an opportunity to re-establish their manufacture in England, this would have taken a considerable period and been more expensive. The council of the BHI submitted a petition against the bill, saying that the prohibition of the use of foreign parts would seriously interfere with English watch manufacturing.¹⁵

In March 1878 a version of the bill that sought only to prevent the hallmarking of foreign watch cases was given a first reading. The bill was dropped at the second reading, but a Select Committee was appointed to investigate a wide range of complaints about hallmarking. The committee heard witnesses from the Goldsmiths' Company and representatives of the jewellery and watchmaking trades in June and July, and in March and April 1879, and produced its report in May 1879.¹⁶

One of the committee's recommendations was that foreign watch cases hallmarked in Britain should have a distinctive mark to show that they were of foreign manufacture.

Merchandise Marks Act 1887

The recommendation that a distinctive hallmark be applied to foreign watch cases was addressed in the Merchandise Marks Act of 1887, which also required that a statutory declaration of country of origin be made for all watch cases submitted for hallmarking.¹⁷

An Order in Council in December 1887 defined the new hallmarks, **Figure 3**. They were composite marks with the word 'Foreign' prominent across the centre. New assay offices marks were defined for use with these; for example, the London Assay Office mark was the sign of Phoebus — a radiant sun's head.

The traditional standard marks of a crown for 22 and 18 carat gold, and a lion passant for sterling silver, were not used. For gold, the punch mark was cruciform with numerical carat and decimal fineness (as already used on the lower standards), e.g. 18 and .75. Silver of either legal fineness (sterling or Britannia) was indicated by an octagonal punch mark.

The Act came into force on 1 January 1888. The effect of the new hallmarks, very different from the usual hallmarks and with the derogatory word 'Foreign', was to stop almost immediately any Swiss watch cases being sent for hallmarking. **Figure 4** shows one of these rare hallmarks in a watch case, stamped by the Birmingham Assay Office. The date letter 'n' was used from July 1887 to June 1888, so this case was hallmarked between January and June 1888.

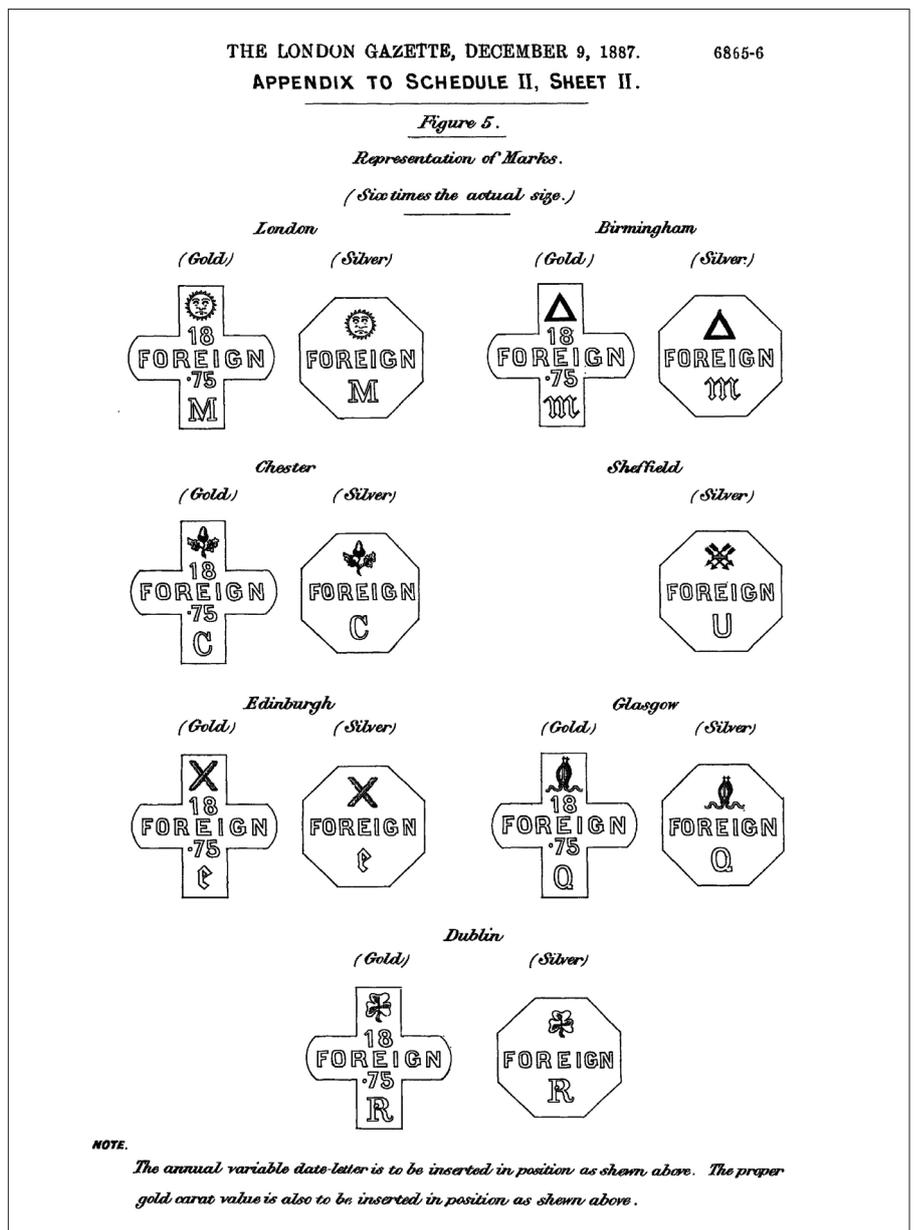


Figure 3. Order in Council 1887: Hallmarks for Foreign Watch Cases.

The sponsor's mark, the initials FP within an oval surround, was entered at the Birmingham Assay Office by Fritz Petitpierre, who was probably unaware of the change before some cases came back with the new hallmarks; he must have had a shock! Two other cases have been seen with the same hallmark but different sponsor's marks. No other examples of later date or from another assay office have been seen.

The Merchandise Marks Act 1887 included an exception that allowed gold and silver watch cases to be imported if they carried hallmarks of their country of origin, contradicting other laws which required that they be hallmarked in a British assay office.

Swiss Reactions

From 1 January 1888, watches with gold and silver cases bearing hallmarks of their country of origin would be allowed entry if they were also of legal British standards, some of which were higher and others lower than Swiss standards.

Swiss 18 carat gold (750‰) was essentially the same as the



Figure 4. Birmingham Assay Office 'Foreign' hallmark.

British standard, but there were no Swiss equivalents to 15, 12 and 9 carats; the only lower Swiss standard was 14 carats. The British sterling standard for silver of 92.5% was higher than the highest Swiss standard of 875‰.

Knowing that British customs were going to be scrutinising imports of Swiss watches and rejecting those not of legal fineness, a meeting of the Swiss Federal Council was held on 24 December 1887 to define some additional hallmarks.¹⁸

For eighteen-carat gold, a fineness of 755‰ was introduced. The stamp could be either 18C, or 0.755. The hallmark was the three heads of Helvetia, two large below one small. For silver, a fineness of 935‰ was introduced, signified by a stamp 0.935 with the hallmark of three rampant bears, two large below one small as shown in **Figure 5**. Gold bows were to be stamped with two small heads of Helvetia, silver bows with two small bears. In order to receive these hallmarks, the bow and cuvette had to be the same metal as the rest of the case.

It has been speculated that the higher fineness of these over the British equivalents of 0.750 and 0.925 was because samples of hallmarked British gold and silver were tested and found to be slightly finer. In fact, it was because the Swiss law of 1880 allowed tolerances of 3‰ for gold and 5‰ for silver, which British law did not, so margins were added for safety.¹⁹

A manufacturer submitting items to a Bureau de Contrôle for hallmarking could request the hallmarks of three heads of Helvetia or three bears by marking the packets '*Destinée à l'Angleterre*', without which they would receive the standard Swiss hallmarks.

Swiss watch manufacturers wanted a share of the large and growing market for cheaper gold cased watches in Britain, particularly 9 carat. The Federal Council could define



Figure 5. Silver 0.935 with three bears hallmark.

hallmarks for finenesses higher than Swiss legal standards, but could not change the law by decree. The British standard of 15 carat gold could have been legally hallmarked as an 'enhanced' version of 14 carat, but 12 and 9 carat gold could not. However, standards of gold lower than 18 carat were not even discussed at the meeting.

There was nothing to stop cases of the lower standards from being made in Switzerland for export, but they couldn't be hallmarked. The lack of an official hallmark was a problem. Existing specimens of Swiss 9 carat gold watch cases from the period have a variety of different '9C' marks; it appears that Swiss watch case makers simply made up their own official looking 'hallmarks' for the lower standards.

One provision of the Merchandise Marks Act 1887 that had unanticipated consequences was that any English words suggesting British manufacture, even Fast and Slow on a watch regulator, rendered the item liable to seizure by the customs.²⁰ This could be avoided by marking the country of origin, and Swiss manufacturers settled on 'Swiss-made'.²¹ Virtually every Swiss watch since has carried this legend, which became known worldwide and created a strong and unified identity for the Swiss watch industry — all thanks to a British Act of Parliament.

Hallmarks for Imported Plate 1904 and 1906

The Revenue Act of 1883 had been effective in ensuring that hallmarked foreign items other than watch cases carried the 'F' mark, but that was not very obvious and the other hallmarks were the same, including the lion passant on silver. Observing that the composite hallmarks had stopped foreign watch cases being hallmarked in Britain, in 1900 British plate manufacturers began to demand the same protection.

The Board of Trade was initially not sympathetic, but eventually gave way. The Hallmarking of Foreign Plate Act 1904 specified that the place of origin of all articles must be declared, and that foreign items should be distinctly marked.²²

An Order in Council specified that from 31 October 1904, the town marks that had been defined in 1887 for imported watch cases (e.g., the sign of Phoebus for London) were to be used on all imported gold and silver items, **Figure 6**.

Rather than composite hallmarks, the individual marks were separated and the derogatory word 'Foreign' was omitted. Town marks on gold had an outline of a square with cut corners, on silver it was an oval. As with watch cases, the crown for gold and the lion passant for sterling silver were not used, simply the numerical carat and decimal fineness values.

Some of the assay office marks were found to resemble existing trademarks. As a result, in 1906 an Order in Council defined different town marks to be used by the London, Sheffield, Glasgow and Dublin assay offices, while the marks for Birmingham, Chester, and Edinburgh remained the same as before, **Figure 7**. The symbol for London became the Zodiac sign of Leo on a cross, for Glasgow two opposed and prone letters 'F', and for Birmingham an equilateral triangle.

The first import hallmarks stamped by the London Assay Office had the symbol of Leo upside down. This was not corrected until 1950, from when it was stamped the right way up for the rest of Cycle XXIV until 1956. From Cycle XXV until December 1974 the Leo symbol was struck the right way up on silver but upside down on gold. For the final period of its use, until 1989, it was struck the right way up on all metals.²³

The 1904 Act did not repeal the sections of the 1887 Merchandise Marks Act that applied to watch cases. Any foreign watch cases hallmarked would receive the composite marks with the word 'Foreign' across the middle, and also the town marks that had been found to be problematic after the 1904 Act came into force.

Goldsmiths vs. Wyatt

Large numbers of watches were imported with gold and silver watch cases bearing Swiss hallmarks. This was not legal under the 1739 or 1842 Acts and questions were eventually asked. In 1904 the law officers of the Crown gave an opinion that they should have British hallmarks. However, the Board of Customs had long treated imported watches differently from other plate, because gold and silver watches were in a different section of the list of customs duties, and they were reluctant to change their practice without a formal decision, so the Goldsmiths' Company was asked to take out a test prosecution.²⁴

On 14 March 1905 Sir Walter Sherburne Prideaux, Clerk to the Goldsmiths' Company, entered the shop of William Wyatt and purchased four watches: two with silver and two with gold cases. None had British hallmarks, so the Company took out a prosecution under the Customs Act of 1842.

The case hinged around the meaning of the term 'plate'. The 1842 Act stated that all imported gold and silver plate must be assayed and hallmarked in a British assay office.

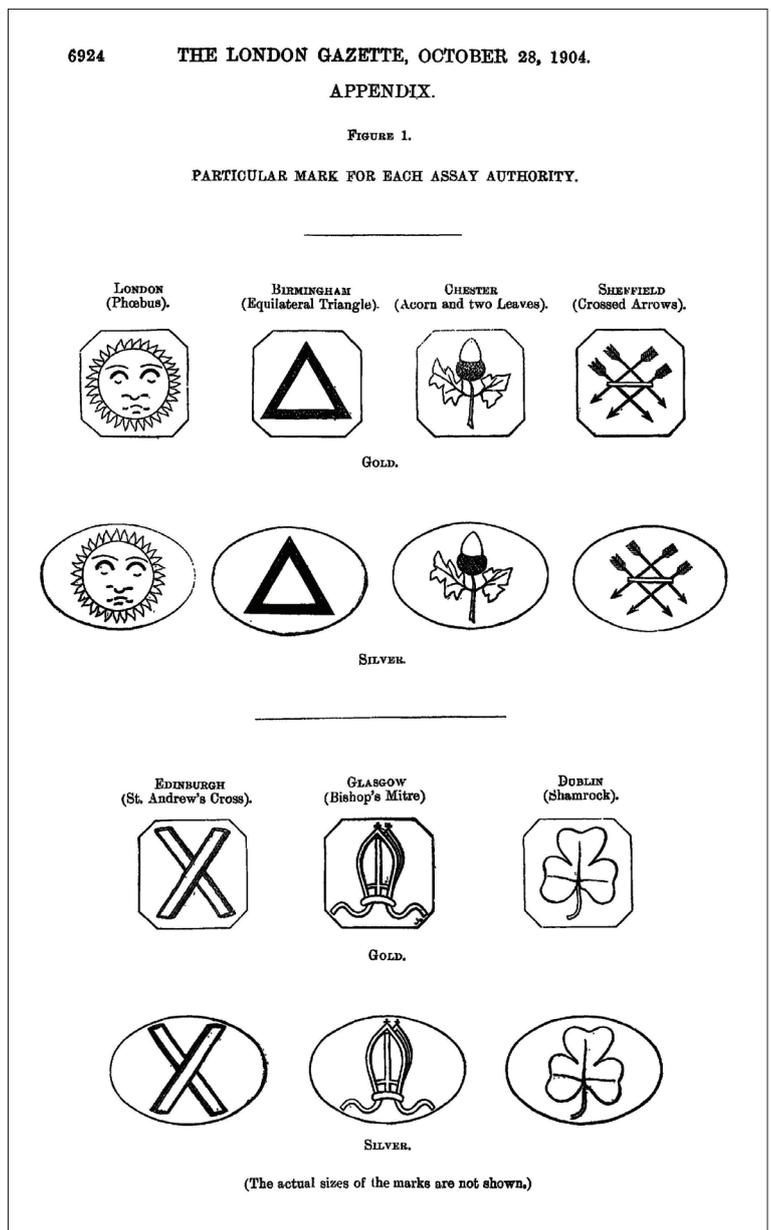


Figure 6. Order in Council 1904: Assay Office Marks for Imported Plate.

In the initial trial of Goldsmiths' Company vs. Wyatt, the judgment of Mr. Justice Channell went against the Company on the grounds that, even though empty watch cases had been treated as plate, gold and silver watches would not be called plate in everyday language.

The judgement was reversed in the Court of Appeal in November 1906.²⁵ Lord Justice Sir George Farwell said that the relevant question was not what was meant by the word plate in everyday language, but rather what was meant when it was used in Acts of Parliament. The Court found that watch cases were plate within the meaning of the 1842 Act, and that empty watch cases, which all parties accepted were plate, remained plate after watch movements were inserted. Watch cases must therefore always be treated as plate within the meaning of the Customs Act of 1842, the Revenue Act 1883, and the Hall Marking of Foreign Plate Act 1904.

Assay of Imported Watch-Cases Act 1907

The judgement caused consternation to many retailers holding

APPENDIX.

FIGURE 1.
PARTICULAR MARK FOR EACH ASSAY AUTHORITY.

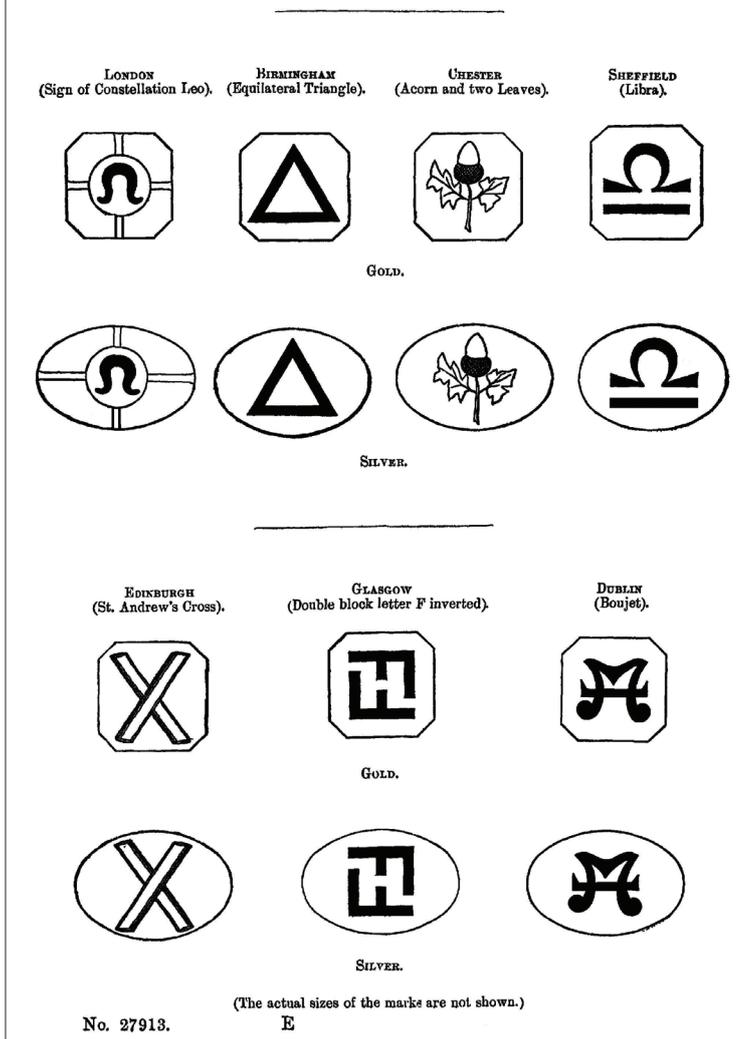


Figure 7. Order in Council 1906: Revised Assay Office Marks for Imported Plate.

stocks of imported gold and silver watches, which it was now apparent could not legally be sold. The Board of Trade recognised the impracticality of applying the requirements of the 1842 Act to watches that had been imported over the previous 65 years, so a Bill was put forward to exempt existing stocks. As the Bill was passing through the house the effective date was made 1 June 1907, although it did not become law until it received Royal Assent on 2 August 1907.²⁶

An Order in Council in May 1907 repealed the composite 'Foreign' hallmarks for watch cases, making the hallmarks the same as those specified in 1906 for foreign plate other than watch cases.²⁷ The Board of Trade issued the following notice:

'All Gold and Silver Watch Cases imported into this country on and after June 1st next will be dealt with by the Customs as Plate within the meaning of Section 10 of the Revenue Act, 1883, which provides that Gold and Silver Plate shall not be delivered for home use until assayed, stamped, and marked according to law.'

The Consequences

The effect on the assay offices was huge. During the London Assay Office year to May 1908, 200,000 silver cases were received compared with 3,000 in 1907. A peak of 1.25 million silver cases were hallmarked in London in the year to May 1918, almost all of them foreign. There was a similar increase in the number of gold watch cases hallmarked, although not quite so great.²⁸ Large numbers of foreign watch cases were also hallmarked at the Glasgow Assay Office, but unfortunately no data survives.

Some well-established British companies, such as Stauffer & Company and Baume & Company, were able to handle hallmarking for their Swiss suppliers, receiving cases, submitting them for hallmarking and then returning them to Switzerland to be finished. **Figure 8** shows an example of London import hallmarks in the silver case of a man's Longines wristwatch dispatched to Baume & Co. in February 1911.

Smaller Swiss companies relied on the services of assay agents such as Stockwell & Company, part of a continent-wide network of shipping agents and carriers, who registered many identical 'GS' punches with the London, Birmingham and Glasgow assay offices. These were most likely sent to Swiss manufacturers so that watch cases could be stamped with the sponsor's mark as they were being made. Packets of cases were sent by train from Switzerland, via the Calais to Dover ferry, to the customs depot at Holborn Viaduct station. Stockwell & Company collected the packets, depositing the required bond with the customs, and delivered them to be hallmarked at whichever assay office had the shortest wait. The cases were subsequently returned to be finished, polished and supplied to watch manufacturers. It sounds like a logistical nightmare, but was handled quickly and effectively by postcard and steam train.²⁹



Figure 8. London import hallmarks for sterling silver, 1910 to 1911.

Continued overleaf

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3. *Report from the Select Committee on Gold and Silver Hallmarking*, (London, House of Commons, 31 July 1878) pp79–80, question 1624.
4. J. S. Forbes, *Hallmark: A History of the London Assay Office*, (London, Unicorn Press, 1998), p252.
5. *An Act for Further Amending the Laws Relating to the Customs*, 5 & 6 Vict. c. 47 s. 59.
6. Meeting of the watch-case trade, 15 December 1872, *The Horological Journal* (Jan 1873), p57.
7. *Report from the Select Committee*, op cit, p73 question 1546.
8. ‘British and Foreign Watch Cases with British Hall Marks’, *The Horological Journal* (Dec 1887), p55.
9. ‘Hall-Marking of Foreign Watch Cases’ *The Horological Journal* (April 1886), p115.
10. The Customs Amendment Act, 30 & 31 Vict. c. 82 s. 24.
11. *Customs and Inland Revenue Act*, 46 & 47 Vict. c. 55 s. 10.
12. D. Beasley, Librarian to the Goldsmiths’ Company, private correspondence with the author, July 2013.
13. *Bundesgesetz betreffend Kontrollieren und Garantie des Feingehalts der Gold- und Silberwaaren* (Federal law concerning control and guarantee of the fineness of gold and silver goods), 23 December 1880. (Swiss Central Office for Precious Metals Control, private communication with the author, 2 October 2014.).
14. *Report from the Select Committee* op cit, pp136–137.
15. The Hall-marking Of Watch-cases’, *The Horological Journal* (May 1879), pp.113–114.
16. *Report from the Select Committee on Gold and Silver Hallmarking* (London, House of Commons, 19 May 1879) pp.iii–v.
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21. *Exportation d’horlogerie en Angleterre* (La Fédération Horlogère Suisse, 7 March 1888), p82.
22. An Act to Amend the Law With Respect to the Hall-Marking of Foreign Plate, 4 Edw. VII. c.6.
23. C. J. Jackson (Sir), *Jackson’s Silver & Gold Marks of England, Scotland & Ireland*, 3rd edn. (Antique Collectors Club, 2011), pp46, 70–85.
24. J. S. Forbes op cit, p269.
25. Goldsmiths’ Company v. Wyatt (*The Law Times*, 16 February 1907, vol. XCV), pp855–859.
26. Assay of Imported Watch-Cases (Existing Stocks Exemption) Act, 7 Edw. 7. c. 8.
27. ‘At the Court at Buckingham Palace, the 7th day of May, 1907’ (*London Gazette*, 10 May 1907), pp3170–3172.
28. J. S. Forbes, op cit, p269.
29. Letter from Stockwell & Co. Ltd., (La Fédération Horlogère Suisse, 1 July 1914), p379.