

ON SWAN-MARKS.

BY

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(PART II.)

The remaining group consists of a large number of marks of a very miscellaneous character. Some resemble in arrangement many marks in the last group, but the objects they are meant to depict are exceedingly obscure. Others are partly of a quasi-heraldic character and yet others appear to be completely arbitrary arrangements of triangles, hoops, squares, crosses, etc., without any meaning that is apparent to us of the present day. Most of them are impossible of description without the aid of drawings.

THEIR NAMES.—It is not improbable that a very large number of marks had colloquial names by which they were spoken of and designated in deeds, etc., but very few of these have survived. Those that I have come across all belong to marks of the Fenland area, a few heraldic in type, but most belonging to the last group but one. Some few names have been gathered from wills and deeds, though in the absence of any accompanying drawing it has not always been possible to identify the marks to which they belong. The only roll known to me that records any of these names is the one belonging to Mr. Henry F. Cooper of Woodhall Spa and was in the seventeenth century the property of his ancestor, Sir Oliver Cromwell of Hinchinbrook, Hunts, uncle of the Protector. Some thirty of these names are given on this roll, but not all, from original abbreviation or subsequent fading, are in a readable condition; others appear to be words that have long passed out of use and whose meaning is anything but plain, while several are distinctly quaint and seem rather far-fetched (*cf.* the names of the Sussex, Oxfordshire and Somersetshire land and allotment marks in *Archæologia*, XXXVII., p. 388).

Many marks would seem, by the way they and their owners' names have been copied from one roll to another, to have been known by the names of the original owners long after they had passed away. For instance many Abbots and Priors appear as owners of marks on rolls of early seventeenth century date, and there are one or two instances even up to the beginning of the nineteenth century. Similarly the marks and names of certain middle and late fifteenth century private owners are constant features of Broadland seventeenth century rolls.

It is obvious that a game of Swans marked with any given mark might and no doubt often did outlast one and even many human generations. Amongst those with an interest in the Swans of any given district each game was undoubtedly known and habitually spoken of as "the game of the so-and-so mark,"

45. William Bryan, Chief Warrner of Bolingbroke, Lincs, d. 1573.
 46. Sir William Coningsby, Judge, of Eston Hall, Wallington, Norfolk, d. 1540.
 47. Thomas Proctor of Wisbech, Cambs., *viv.* 1617.
 48. William Callowe of Holbeach, Lincs.



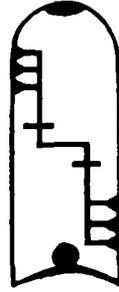
45.



46.



47.



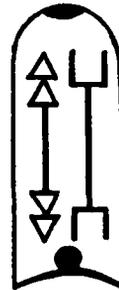
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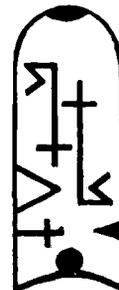
49.



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51.



52.

49. Richard Balder of Sutton St. Mary's, Lincs, d. 1623.
 50. Henry Hawe of Hilgay, Norfolk, *viv.* 1560.
 51. Adam Harte of Walpole in Marshland, Norfolk, d. 1573.
 52. Sir William Fitzwilliams of Milton in Castor, Northants, Constable of Fotheringhay, d. 1599.
 (The above are all Fenland marks, 45 to 51 from Add. MS. 6301 ; 52 from Add. MS. 6302.)

EXAMPLES OF NAMED MARKS.

53. "the skorge"—The monastery of Crowland's mark.
 54. "Dobyll pylyer" (*i.e.* double fish-spears)—Thomas Diggle of Crowland.
 55. "ye tonges"—John Death of Gosberton, Lincs.
 56. "the dobell pelles" (*i.e.* baker's peels)—Thomas Gray of Wisbech, Cambs.



53.



54.



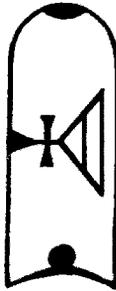
55.



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57.



58.



59.



60.

57. "ye crose spritts" (*i.e.* crossed punt-poles; "spreader," Cambs.)—Millicent Smith of Water Newton, Hunts.
 58. "ye storrope" (*i.e.* stirrup)—William Goldwell of Wisbech, Cambs.
 59. "the Hammer head and Roman R."—Robert Ladde, alias Baker, of Terrington in Marshland, Norfolk.
 60. "Boot & rother" (*i.e.* boat & rudder).—Thomas Adams of Tydd St. Giles, Cambs.
 (59 is from Brit. Mus. Egerton MS., 2412, the remainder from Mr. Henry Cooper's roll.)

so that irrespective of the actual ownership at any given time it would have been a quite convenient method for use in conversation or writing to speak of "the abbot of so-and-so's mark." Such an expression would have been easily understood by Swan-owners of any period, while any other reference might entail a long and not easily understandable description or the use of a personal name, which might be that of a newcomer or a non-resident owner and so there could easily be a doubt as to which game was meant. The manorial marks of east Norfolk and Suffolk (*vide infra*) would of course be always spoken or written of by their manorial names.

THEIR AGE.—It is quite problematical, I think, whether formal rolls of Swan-marks, as kept by district Swan-herds, were really in use before 1483 (*vide infra*). Most marks are known to us as they are given on rolls of sixteenth and early seventeenth century date; very few of these are so early as 1520 or so late as 1680, and the roll in the Public Record Office is the only one I have seen that with any probability is a product of the late fifteenth century. There cannot be any reasonable doubt, however, that many of the marks recorded in them had their origin at a much earlier date. A good many, by the names that they still appear under, go back with certainty to the middle of the fifteenth century, and probably a great deal earlier still. I have already drawn attention (*B.B.*, XIV., p. 178) to the one that appears to be the earliest to which a fairly definite date can be given, *viz.*, *circa* 1370, while the earliest mention of a mark occurs in the Patent Rolls for 1276 and their use can be inferred from an entry in the Close Rolls for 1246 (*B.B.*, XVII., pp. 175, 177).

RIGHT OF POSSESSION.—Unlike the Sturgeon, which was constituted a royal fish by Act of Parliament in the reign of Edward II. (1307–1327), we have no knowledge as to when the Swan became a royal bird, but there is evidence from Giraldus Cambrensis that it was already accounted so before 1186 (*B.B.*, XVII., p. 180). Strictly speaking, therefore, no subject could have property in Swans except by grant from the Crown, and the possession of a Swan-mark was definitely so limited in the Year Book of 7 Henry IV. 9 (1405–6). There is, however, evidence in the preamble to the statute of 22 Edward IV. (*B.B.*, XIV., p. 176) that this limitation was more honoured in the breach than in the observance, in that the keeping of Swans and the use of Swan-marks had at that date (1483) to a considerable extent passed into the hands of people of mean estate. The statute sought to correct this

by enacting a property qualification, without which no one could legally keep Swans. We may be sure that on the passing of this Act there was a general examination of the qualifications of Swan owners, for the Act allowed anyone possessing the necessary estate to seize the Swans of those unqualified and retain half the number for his own use, handing over the rest to the royal Swan-herd. The institution at this time of formal rolls of marks to be kept by him, would be an effective means of checking the qualification of owners. An interesting exemption (and the only one) to the operation of this Act was granted by Richard III. in the first year of his reign on petition by the inhabitants of Crowland. The statute remained in force until repealed by the Game Act of 1831. Though strictly speaking the right to use a Swan-mark could only be granted by the Crown, as a matter of practice they were allotted to qualified persons by the royal Swan-herd, who delegated his duties in this, as in every other respect, to his deputies, whom he appointed throughout the country. Many owners no doubt were unable to show a grant from the Crown when their ownership rights were enquired into, but they had the alternative of asserting a right by prescription, *i.e.*, long continued use or enjoyment, which, if they could prove, would be perfectly legal and effective. There is every probability that at the time of the passing of the Act a good many would have been in a position to do this. In special cases grants were made by the Crown itself up to quite recent dates. The Dyers' Company possess one of the time of Queen Anne, the Town of Maidstone obtained its first grant in its charter of 1619 and this was renewed in the subsequent charters of 1682 and 1747.

Once legally obtained the Swan-mark became the personal property of the owner, which he could give or sell to any qualified person, or devise in his will to whom he chose. In the absence of specific bequest it passed at his death to his heir. A curious exception to the personal character of the possession seems to have existed in the case of certain marks in use in the Broadland area of Norfolk and Suffolk. These were an appendage of the manors whose names they bore, and though ownerships changed from time to time, the Swans and the marks followed changes of ownership of the manors only and were never sold or devised apart from it. In these cases the marks are always to be found on the Swan-herds' rolls under the names of the manors to which they belonged and if a personal name is recorded at all it occurs only as a secondary title.

CHANGE OF OWNERSHIP.—Change of ownership of a Swan-mark, which naturally included also the whole of the game of Swans bearing that mark, was technically known as alienation and could be effected in five different ways :—

- (1) By direct descent to the heir from his ancestors.
- (2) By marriage to a widow or heiress of a late owner.
- (3) By will.
- (4) By deed of gift or sale.
- (5) By confiscation and subsequent grant.
 - (1) Alienation by descent was, of course, the most frequent method, and where, as was most frequently the case, the eldest living son was the heir, the Swans and mark passed normally to him with the other properties on the death of his father. Under these circumstances we find no mention of them in wills, but in numerous instances this alienation can be traced by the comparison of marks and names in Swan-rolls of different dates.
 - (2) Though perhaps not actually very uncommon there are but very few instances recorded of the ownership of Swan-marks by women, and probably most of them (as indeed is recorded in one or two instances) were widows. On the other hand alienation by marriage can be traced in numerous instances, in one or two to widows of former owners, but in the majority to a daughter and heiress or co-heiress.
 - (3) Where it was the desire of a testator to split up his game of Swans amongst his children or others or to bequeath them to other than his heir, it was necessary for him to make provision accordingly in his will. Of this numerous instances have come to light. Margaret Paston's will (1481-4) has been already quoted by Stevenson (*B. of Norfolk*, III., p. 103) and need not be repeated, but the following are typical examples :—

“ 16 April 1530. I Thomas Dykynson of Leeke . . . Also I wyll that Margaret my wyff have my swannys and my swannemarke to the term of her lyff; and then to remane to John my sonne. Yff he dye or he cum to lawfull age, I will the swannys with the marke be solde, and the money to be devydyd betwyxt my ij doughters.”
(Lincoln Record Society, Vol. X.)

The will of “ John Wesled of Braytoft in the countie of Lincolne, gent.,” dated September 8th, 1603, and proved April 2nd, 1606.

“ I give to my said grandchild William Wesled my swanne mark together with all my swannes and signittes yonge and olde to the same marke belonging.”

(Lincolnshire Wills, II., p. 11.)

The will of Richard Buckworth of Wisbech, Cambs., dated October 28th, 1506, and proved February 7th, 1506-7.

" It. I geue to the same Edmund my son my Swanne marke of the hokys in fee symple."

(P.C.C., Register 19 Adeane).

The following example is particularly interesting as throwing light upon the ownership of certain marks, which is otherwise somewhat mysterious.

" 25 April, 1527. I Thomas Hippe of the parische of saynt James in Sutton in Holond . . . I bequeth my marke of Swanes to the chapell of St. James for to kepe an obiit yerly upon the Fryday bifore Care Soday, aftyr the forme of Lawrence Malles will, for my soule and all my good frendes soules."

(*Lincoln Record Society*, Vol. X.)

The Swan-mark of the Church of St. James in Sutton is given on several extant rolls, as are those also of St. Windreda of March, St. John the Baptist of Parson Drove, St. Clement of Upwell and Benwick in the Fenland area and Stalham in the Broadland area. A curious quartette of marks are also given on rolls of the latter district as belonging to " Our Lady's Light of " Hickling, Billockby, Acle and Caister respectively. They no doubt had their origin in the same way through the will of some pious testator, the profits of the Swans being used for the upkeep of the lights before the image of the Virgin in the respective churches.

- (4) There can be no doubt from a study of different rolls belonging to the same district, but of different dates, that a great deal of selling and buying of Swans and marks took place. The frequent practice of buying odd cygnets at upping time, in order to effect a change of blood or to increase the stock, was a comparatively simple matter, and could be done on a cash basis in the presence of a given number of fellow-owners and the royal Swan-herd, who thereupon placed the new owner's mark upon the hitherto unmarked bird and it at once became his property. The purchase of a game of Swans and its mark was a very different matter and had to be carried out in a similar way to the conveyance of land or tenements by formal deeds, duly signed, sealed and witnessed. Being private documents, examples are exceedingly difficult to find, and two only to my knowledge have ever been published. One, dated 1646, from Robert Ladde, alias Baker, of Terrington to Anthony Williamson of Tilney, was printed in *Eastern Counties Collectanea*, I., p. 77 (1872-3); the other dated

1656, from John Beke, alias Hall, of Holton Holgate to Richard Skepper of the same, in *Lincolnshire Notes and Queries*, V., p. 91. There are four examples in the British Museum and I have copies of four others from private sources. A single example must here suffice to illustrate this method of transfer, and I take Brit. Mus. Add. Ch. 25,914, as being the earliest, *viz.*, 1556.

“ This bill made the xvij daie of februarye in the secunde and thride yerres of the Raignes of oure soueraign lorde and ladie Phillipp and Marie by the grace of god Kinge and quene of Englande ffraunce Naples Jerusalem and Irelande defendors of the faith Princes of Spaine and Cicilie Archdukes of Austria Dukes of Millane Burgundie and Brabarte counties of Haspurge fflanders and Tiroll Witnessith that I Sr walter Mildemay of Apethorpe in the countie of Northampton knighte haue bargayned and solde and by these presents dothe bargeine and sell vnto Michael Beale of Stangre in the countie of huntington yoman all that my righte and interest I haue in a marke of Swannes called the Skourge late belonginge to the monasterie of Crowlande for the some of ten poundes of laifull money of England which some of ten poundes I the saide Sr walter Mildemaye do confesse to haue receyued the daie of the makinge hereof In witnes wherof I the above named Sr walter Mildemay seale to my hande and seale the daie and yere above written.”

[Signed] “ Wd. Mildmaye.”

[No witnesses.]

Several later examples are considerably longer and more elaborate.

- (5) Confiscation and re-grant was a comparatively rare occurrence. The offences under the Swan laws that carried the penalty of confiscation were lack of the property qualification, failure to pay the alienation fee and the deliberate forgery of a Swan-mark. In the troublous times, however, of the fourteenth and early fifteenth centuries not a few people on the losing side suffered the penalty of attain, with or without the loss of their heads. Under attain the lands and other properties including Swans and marks of the attained fell to the Crown. More than one member of the house of Howard met with this misfortune and so we find on one of the British Museum Swan-rolls over one of the marks of the Duke of Norfolk the significant entry: “ Dux Norik, ye Kings.” I have only been able to find three instances so far of a re-grant of confiscated Swans. Two occur in the Patent Rolls under date 1400 and the third is in the British Museum Harley MS. 433 (f. 217b). This is described as a Register of the Grants, Warrants, etc., passing the Privy Seal, Royal Signet or sign

manual during the reigns of Edward V. and Richard III. and the Grant is recorded as follows :—

“ A commission directed to al maires Sheriffs Eschetors Bailieffs Constables Swanneherds & all other hauing the Rule of fresshe Ryuers and Waters in Somerset shire especially in the fresshe Waters or Ryuers of merke more Cotmore and more & al other Waters there Reciting that the King hath given al Swannes in the said waters late apperteynyng to the Marques Dorset and Sr Giles Dawbeney nowe in the Kings hands by reason of their forfaictures to my lord priue seale Yeuen at Westm. the IX day of May Anno ij^{do}” [Richard III, *i.e.* 1485].

ALIENATION FEES.—By whatever means an alienation took place the new owner had at once to pay a fee of half a mark to the King's Swan-herd and one of fourpence for registering each separate mark in the roll. In a paper in the *Sussex Archaeological Collections*, XVII., p. 216, it is recorded that the successive Bishops of Chichester in the seventeenth century paid this alienation fee to the Water Bailiff of the Arun on taking up their residence at Amberley Castle. On receipt of the fees the Swan-herd gave a receipt and an allowance of the Swan-mark. In some cases this appears to have been a very formal document and in others merely a small slip of parchment stating that the mark had been entered or allowed, but in either case a drawing of the mark was annexed. A contemporary copy of the more formal type is entered at f.403 of Harley MS. 4116 in the British Museum thus :—



“ A Cobby of ye Allowance of Mr Coles

August the 15th 1662

Recd then of John Cole of Sutton in y^e Isle of Ely and County of Camb^r gent the sume of six shillings eight pence for fees due for the alienacon and allowance of his swanne marke called & knowne by y^e name of the Crosse Bowe and bolt with one gapp as y^e same is described in y^e said margent of these presents, whereby hee ye said John and his heires and deputye or deputyes under his hand & seale appointed assigned, shall & may yearely at times appointed haue all privileged of Vping, marking & notyfyeing all his & their Swannes & Cygnetts in any of the rivers, waters, brookes & pooles w^{thin} y^e Countyes of Bedf., Huntingon, Cambr. & y^e Isle of Ely or elsewhere within y^e Realme of England. In wittnesse whereof I haue hereunto sett my hand.

ol. 6s. 8d.

John Heron.”

In the example published by Mr. Edward Peacock in the *Archæological Journal* (XLII., p. 19), the Swan-herd has made

use of an earlier piece of parchment containing a drawing of the mark and endorsed it :—

“ I haue entred this marke in my booke Jan. 30. 1651, and haue received my fee which is 6s. 8d.

Geo. Hill

Swannerd to ye Commonwealth.”

Sir Henry Maxwell Lyte in his *History of Dunster* (p. 77) figures the Swan-marks of Sir John and Sir Andrew Lutterell from a similar slip of parchment. Beneath them is written :—

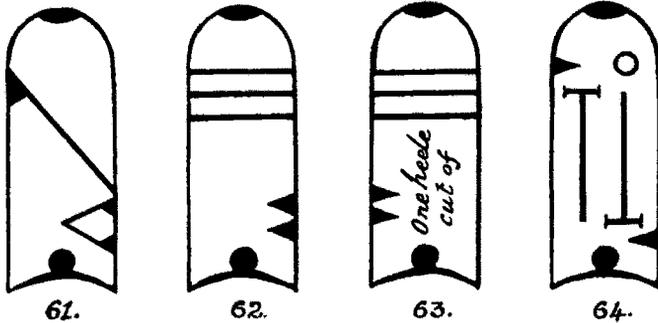
“ These were the markes w^{ch} theise men above writen had upon the beekes of their swanes belonginge unto the Castell of Dunster by inheritance and alwayes kepte at the Mere by Glastonberryc. Yt is good to renewe yt. S.L.”

It seems probable that this was issued to one of the nephews of Sir John who succeeded to the property after the death of the latter's widow in 1588.

These small documents are exceedingly rare, and any that survive are naturally for the most part in private hands and difficult to find. The above are the only examples I have come across.

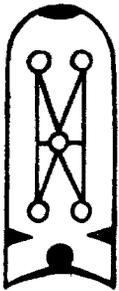
DIFFERENCING.—By making comparison between marks recorded on rolls of the same area, but of different dates, certain marks otherwise identical are found to differ from each other in certain minor details, and where full names are recorded these differences are seen to accompany changes of ownership. It is convenient to borrow the heraldic term “differencing” to express shortly this process of altering marks. It was clearly of advantage to owners who took an interest in their game to have some means of knowing the birds of the old stock (*i.e.*, those they succeeded to, from those bred under their own ownership, and so presumably this system of differencing came about. It is very clearly marked in the case of some of the Fenland marks and there is evidence that it was also used in the Thames area, in both of which many marks were very elaborate. In the case of the Thames the material available is far less extensive and so evidence of the custom is less easy to find. On the other hand, in the Broadland area, though material is plentiful, the marks themselves are much more simple and so hardly lend themselves to the practice, while confusion would by it be very easily brought about. The existence of this practice of differencing, deduced from a study of marks themselves, is confirmed by one or two items of documentary evidence. Thus, it is recorded in the Corporation Books of New Windsor (extracts by Ashmole, Bodl. MS., Ashmole 1126, f.36d.) that in 1505 John Scott of Dorney, Bucks, presented to the Guildhall of

Windsor an adult cock swan of his mark, "Whervvpon at Vpping season next folowinge the seid Meior and his Brethern wth the Communalitie was admitted to the seid Cok by Harry Wykes M^r deputie for yt tyme being of the hole game wth in Tamise aforeseide. Which gaf us an addicon to the same Cok y^t is to wete this Merke ○ callid an Oylithole, the 9th day of August and the yere aboue seid."

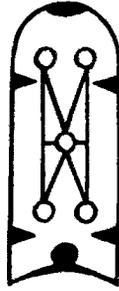


- 61 was one of the marks of John Death of Gosberton, Lincs, and passed at his decease to his second son Robert, who differenced it by omitting the nick at the distal end of the bend.
- 62 was the mark of Adlard Welby of Goxhill and Gedney; his eldest son succeeded to Goxhill in N. Lincolnshire, and the Gedney estates in S. Lincolnshire with the mark passed to his second son, Sir William, who differenced the mark by reversing it and adding a foot mark "one heele [*i.e.*, hind-toe] cut of," (63).
- 64 was the mark of Thomas Wren of Haddenham, Isle-of-Ely, whose widow married William Medley. The latter differenced the mark by omitting the annulet.
(61 and 62 are from Add. MS. 6301; 63 and 64 from Egerton MS. 2412.)

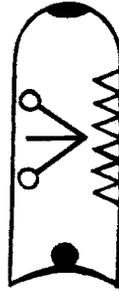
Amongst a series of orders made at a Court of Swan-mote held at Wisbech, Cambs, on October 6th, 1587, provision is made for the due recording of these difference marks thus:—
". . . for euery old mark being allowed to haue any new addition hee [*i.e.*, the King's Swan-herd] to haue for entrance of the same of the owner of the marke, or farmer, 2s. 6d." (Bodl. MS. Add. c. 200). In the deed of sale of a Swan-mark, already referred to, by Robert Ladde, alias Baker to Anthony Williamson, 1646, the practice is clearly referred to in the following sentence, where R.L., a. B. sells to A.W. "All my Swanmarke comonly called the Hammer-head and Roman R: with all other additions unto the same belonging or in any waies appertaining."



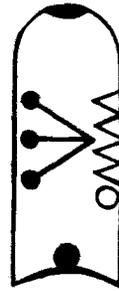
65.



66.



67.



68.

- 65 was the mark of Robert Everard of Walpole in Marshland, Norfolk, and passed to his eldest son Henry, who differenced it by the addition of two extra nicks (66).
 67 was the mark of Humphrey Stafferton of Staverton Manor, Berks, whose daughter and heiress Eleanor married Robert Loggins of Staverton, who differenced the mark as shown in 68.
 (65 is from Add. MS. 6301; 66 from Add. MS. 6302; 67 and 68 from the Chetham Library roll.)



69.



70.

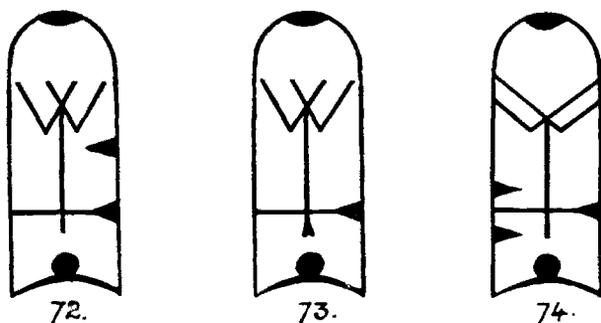


71.

- 69 was the mark of Robert Tighe of Deeping St. James, Lincs, whose daughter and heiress Alice married William Lacey of Deeping St. James, who differenced the mark by reversing it and placing the cross distal to the triangle (70). William Lacey in turn left a daughter and heiress who married Sir Henry Cholmeley of Easton, near Grantham, who again differenced the mark by turning it back again and omitting the cross (71).
 (69 is from the Rev. H. S. Marriott's roll; 70 from the Wisbech Museum roll; 71 from Add. MS. 6301.)

Confining ourselves chiefly to Fenland marks, it is clear that a very large number consist of a main or central design, which was evidently the mark proper, and one or more subsidiary items, amongst which the above-mentioned variations are

mostly found. These, which are the difference marks, consisted of nicks, triangular or semicircular on one or both margins of the upper mandible, annulets, roundels and small crosses or saltires. Differencing might then be carried out by the addition or subtraction of one or more of these subsidiary marks. Occasionally it was effected in other ways, but examples of these are rare. Where the main mark consisted of an asymmetrical design, differencing could be done by reversing it. In a few cases it was done by the addition of a lower mandible mark or foot mark.



Perhaps the most remarkable instance of differencing is furnished by the above three marks. 72 was that of Edward Bestney of Soham, Cambs., who left two daughters and co-heiresses, Margaret and Joan. They married Edward Bernes of Soham and Simeon Steward of Lakenheath, Suffolk, respectively. The former differenced the mark by omitting the distal of the two nicks (73), the latter by doing the same, but also by adding two more on the left side (74). Thus two easily distinguishable marks were formed from the one original.

(72 is from Add. MS. 4977; 73 from Add. MS. 6302; 74 from Add. MS. 6301.)

REVISION OF MARKS.—In order that strict supervision might be exercised over the qualifications of owners and to the intent that all alterations of marks and changes of ownership should be duly recorded, it was the custom from time to time for the Commissioners of Swan-mote to make orders accordingly. Thus at a Court of Swan-mote held at Wisbech on October 6th, 1587, the Commissioners ordained as follows:—

“ It is ordered and Decreed that all books & swannmarks bee reformed, corrected, amended and made vniforme vnto one booke w^{ch} shall remayne in y^e hands of the M^r Swanner or his Deputy for y^e tyme being, w^hout varying ffrom the same either markeing, placeing of Gapps, ticks, oylet holes, slitting of webs, cutting of Heels, or claws: And that all owners ffarmers and Deputyes of

swans shall reforme all such books or Rowles as they haue vnto the sayd Mr Swanner or his Deputyes booke & shall for euer a[t]ter soe nigh as possibly by any meanes they may follow the order of the same in marking, Gapping, ticking, oleting, sliting of webs, cutting of heeles or clawes vpon payne to forfeit to y^e Chiefe L^d: & feeld aforesayd for euery white swan found by Jury to bee ffaulty in such cases 2s. & to the end that the sayd Mr Swannard or his Deputy may make them such a perfect booke as above sayd agreeable to the truth of the owners markes It is ordered & decreed that the Cheife Deputy swannard shall cause Proclamation to bee made in the market before Christtyde next that euery such owner of swanes his farmer or deputy by the purification next after it doe bring or cause to be brought to the Cheife Deputy Swaner his seuerall marke or marks fairly Drawne vnder his hand that thervpon the Cheife Deputy Swannard may marke his sayd booke to bee shewen & agreed vpon before the next generall swanning tyme & for Default of not soe bringing their sayd markes vnto y^e sayd Deputy by the tymes aforesayd, euery owner farmer or Deputy soe in default to forfeit for the first tyme to the L^d: & feeld xijd. and for the second tyme ijs. 4d. And it is likewise ordered & decreed that euery owner farmer or deputy shall pay to the cheife Deputy Swanner for euery his marke or marks soe to be entred & the booke kee[p]ing of the same at the next generall swanning after such entry thereof made the sum of ijs. 6d." (Bodl. MS. Add. c.200.)

METHODS OF MARKING.—All marks were of course of the nature of scars, certain foot marks being in addition permanent deficiencies of various shapes. The most usual method of production was undoubtedly by cutting with a sharp knife, as is still practised on the Thames and Yare to this day. Sir Joseph Banks, in a MS. introduction that he wrote to the Swan-roll, Add. MS. 6302, in the British Museum, thus describes the process:—"In the autumn of 1820 Mr. Chapman of Marshchapel [Lincs] informed me that in his youth about 40 years ago the custom of marking swans was still kept in the Marsh Towns in his neighbourhood and that he had attended when the persons employed by the owners met together and marked the birds. He shewed me the manner of marking, which he did by cutting with a sharp penknife a double line through the skin that covers the beak and stripping off the skin between."

It has been stated that marks were sometimes rendered more permanent by the rubbing in of gunpowder after the cuts had been made. Whether there is any real evidence of this I have not been able to discover.

Henry Best of Elmswell, Yorks, in his "Farming and Account Books" (1641) (Surtees Soc., XXXIII., p. 122), wrote: "Our marke is three holes boared with an hotte swipple in the right side of the nebbe, and a gagge cutte betwixt the two uppermost holes, viz., that next the head and the other."

In the picture of Swan-marking given in Gurney's *Early Annals of Ornithology*, (p. 71), which is taken from an illuminated MS. of about 1340 in the Bodleian (MS. 264, f.124.v.), the bird is being foot-marked by hammering a punch through the web.

Some marks are so intricate that one cannot but wonder whether in some cases they were impressed by means of a special branding-iron. There is, however, no evidence on the point. It is very difficult to imagine a Swan-herd, however skilful he might be with a pocket-knife, making much of a success of marks 17, 19, 42 and 65, for instance, on the bill of a live and struggling Swan, and there are plenty of other marks even more elaborate.

(*Correction*: In the heading at top of p. 269, for "Names" read "Arms.")